EXHIBIT A

CSC

null / ALL
Transmittal Number: 24524982
Date Processed: 02/25/2022

Notice of Service of Process

Primary Contact:	Sheryl Arneson 3M Company 3M Center Bldg 220-9E-02 220-10W/F06 Saint Paul, MN 55144-1000
Electronic copy provided to:	Canhnha Luu Cheryl Muellner

Entity:	3M Company Entity ID Number 3571748
Entity Served:	The 3M Company, f/k/a Minnesota Mining and Manufacturing Co.
Title of Action:	Bradley D. McMartin vs. The 3M Company, f/k/a Minnesota Mining and Manufacturing Co.
Matter Name/ID:	Bradley D. McMartin vs. The 3M Company, f/k/a Minnesota Mining and Manufacturing Co. (12039899)
Document(s) Type:	Summons/Complaint
Nature of Action:	Product Liability
Court/Agency:	Los Angeles County Superior Court, CA
Case/Reference No:	22STCV06558
Jurisdiction Served:	California
Date Served on CSC:	02/24/2022
Answer or Appearance Due:	30 Days
Originally Served On:	CSC
How Served:	Personal Service
Sender Information:	Bordin Semmer LLP 323-457-2110

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

Electronically FILED by Superior Court of California, County of Los Angeles on 02/23/2022 09:51 AM Sherri R. Carter, Executive Officer/Clerk of Court, by N. Miramontes,Deputy Clerk 22STCV06558

SUM-100

SUMMONS
(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):
THE 3M COMPANY, f/k/a Minnesota Mining and Manufacturing Co.,
["Additional Parties Attachment form is attached"]

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):
BRADLEY D. MCMARTIN, an individual; WALTER MADDOCKS, an individual;
["Additional Parties Attachment form is attached"]

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (*www.courtinfo.ca.gov/selfhelp*), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (*www.lawhelpcalifornia.org*), the California Courts Online Self-Help Center (*www.courtinfo.ca.gov/selfhelp*), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of $10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de $10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): Los Angeles Superior Court
111 N. Hill Street
Los Angeles CA 90012

CASE NUMBER: *(Número del Caso):*
22STCV06558

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: *(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):*
Benjamin A. Sampson, BORDIN SEMMER LLP Center Drive, Suite 1100 Los Angeles, California 90045; (323) 457-2110

DATE: 02/23/2022 *(Fecha)* Clerk, by *(Secretario)* Sherri R. Carter Executive Officer / Clerk of Court N. Miramontes, Deputy *(Adjunto)*

(For proof of service of this summons, use Proof of Service of Summons *(form POS-010).)*
(Para prueba de entrega de esta citatión use el formulario Proof of Service of Summons, *(POS-010)).*

[SEAL]

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of *(specify)*:
3. ☒ on behalf of (specify): THE 3M COMPANY, F/K/A MINNESOTA MINING AND MANUFACTURING CO.

   under: ☒ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
   ☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
   ☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
   ☐ other *(specify)*:
4. ☐ by personal delivery on *(date)*:

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SUM-200(A)

SHORT TITLE: Bradley D. McMartin, et al. v. The 3M Company, et al.	CASE NUMBER: 22STCV06558

INSTRUCTIONS FOR USE

→ This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.

→ If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties *(Check only one box. Use a separate page for each type of party.)*:

[X] Plaintiff [ ] Defendant [ ] Cross-Complainant [ ] Cross-Defendant

RODNEY COOPER, an individual; DAVID CAROLAN, an individual; MICHAEL CAMELLO, an individual; ALEXANDER SOLIS, an individual; JEFF HOWE, an individual; MICHAEL BRADLEY, an individual; NEAL LOWRY, an individual; PATRICK CRADDICK, an individual; ALEJANDRO HAUA, an individual; THOMAS MCLAUGHLIN, an individual; LUIS GERARDO DEL CID, an individual; JOSEPH SHUMACHER, an individual; ROBERT PERA, an individual; MICHAEL DUBRON, an individual; DAVID ROSE, an individual; DOUG SUTHERLAND, an individual; ROBERT HARMON, an individual; HARRY WONG, an individual; MICHAEL ALBARRAN, an individual; TOM FAHRNY, an individual; JANEL PHILLIPS, individually and as Successor-In-Interest to Decedent GLEN PHILLIPS; OLIVER KING, an individual; SCOTT STEPHENS, an individual, DIRK FLORES, an individual; DANIEL ZUBAK, an individual; KELLY ABADIE, an individual; ALVIN BLADES, an individual; LES FITZGERALD, an individual; RANDALL SMITH, an individual; DENNIS STANDROD, an individual; MARK ASHLEY, an individual; BLAIR WEIN, an individual; TIMOTHY JONES, an individual; MARK BENNETT, an individual; and VICENTE CASAS, an individual;

Form Adopted for Mandatory Use
Judicial Council of California
SUM-200(A) [Rev. January 1, 2007]

ADDITIONAL PARTIES ATTACHMENT
Attachment to Summons

For your protection and privacy, please press the Clear This Form button after you have printed the form.

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SUM-200(A)

SHORT TITLE: Bradley D. McMartin, et al. v. The 3M Company, et al.	CASE NUMBER: 22STCV06558

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List additional parties *(Check only one box. Use a separate page for each type of party.)*:

☐ Plaintiff ☒ Defendant ☐ Cross-Complainant ☐ Cross-Defendant

AGC CHEMICALS AMERICAS INC., AMEREX CORPORATION, ARKEMA INC., ARCHROMA MANAGEMENT LLC, BASF CORPORATION, individually and as successor in interest to Ciba Inc., BUCKEYE FIRE EQUIPMENT COMPANY, CARRIER GLOBAL CORPORATION, CHEMDESIGN PRODUCTS INC., CHEMGUARD INC. CHEMICALS, INC., CLARIANT CORPORATION, individually and as successor in interest to Sandoz Chemical Corporation, CORTEVA, INC., individually and as successor in interest to DuPont Chemical Solutions Enterprise, DEEPWATER CHEMICALS, INC., DUPONT DE NEMOURS INC., individually and as successor in interest to DuPont Chemical Solutions Enterprise, DYNAX CORPORATION, E. I. DUPONT DE NEMOURS AND COMPANY, individually and as successor in interest to DuPont Chemical Solutions Enterprise, KIDDE-FENWAL, INC., individually and as successor in interest to Kidde Fire Fighting, Inc., NATION FORD CHEMICAL COMPANY, NATIONAL FOAM, INC., THE CHEMOURS COMPANY, individually and as successor in interest to DuPont Chemical Solutions Enterprise, THE CHEMOURS COMPANY FC, LLC, individually and as successor in interest to DuPont Chemical Solutions Enterprise, and TYCO FIRE PRODUCTS, LP, individually and as successor in interest to The Ansul Company,

Form Adopted for Mandatory Use
Judicial Council of California
SUM-200(A) [Rev. January 1, 2007]

ADDITIONAL PARTIES ATTACHMENT
Attachment to Summons

For your protection and privacy, please press the Clear This Form button after you have printed the form.

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Electronically FILED by Superior Court of California, County of Los Angeles on 02/23/2022 09:51 AM Sherri R. Carter, Executive Officer/Clerk of Court, by N. Miramontes,Deputy Clerk
22STCV06558

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Benjamin A. Sampson, State Bar No. 291797
Bordin Semmer LLP
6100 Center Drive, Suite 1100
Los Angeles, California 90045
TELEPHONE NO.: (323) 457-2110 FAX NO.: (323) 457-2120
ATTORNEY FOR (Name): Plaintiffs

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
STREET ADDRESS: 111 N Hill Street
MAILING ADDRESS: 111 N. Hill Street
CITY AND ZIP CODE: Los Angeles CA 90012
BRANCH NAME: Stanley Mosk

CASE NAME: BRADLEY D. MCMARTIN, et al. v. The 3M Company, et al.

CIVIL CASE COVER SHEET

[X] **Unlimited** (Amount demanded exceeds $25,000)
[ ] **Limited** (Amount demanded is $25,000 or less)

Complex Case Designation

[ ] **Counter** [ ] **Joinder**

Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: 22STCV06558

JUDGE:

DEPT:

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort
- [ ] Auto (22)
- [ ] Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
- [ ] Asbestos (04)
- [ ] Product liability (24)
- [ ] Medical malpractice (45)
- [X] Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort
- [ ] Business tort/unfair business practice (07)
- [ ] Civil rights (08)
- [ ] Defamation (13)
- [ ] Fraud (16)
- [ ] Intellectual property (19)
- [ ] Professional negligence (25)
- [ ] Other non-PI/PD/WD tort (35)

Employment
- [ ] Wrongful termination (36)
- [ ] Other employment (15)

Contract
- [ ] Breach of contract/warranty (06)
- [ ] Rule 3.740 collections (09)
- [ ] Other collections (09)
- [ ] Insurance coverage (18)
- [ ] Other contract (37)

Real Property
- [ ] Eminent domain/Inverse condemnation (14)
- [ ] Wrongful eviction (33)
- [ ] Other real property (26)

Unlawful Detainer
- [ ] Commercial (31)
- [ ] Residential (32)
- [ ] Drugs (38)

Judicial Review
- [ ] Asset forfeiture (05)
- [ ] Petition re: arbitration award (11)
- [ ] Writ of mandate (02)
- [ ] Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)
- [ ] Antitrust/Trade regulation (03)
- [ ] Construction defect (10)
- [ ] Mass tort (40)
- [ ] Securities litigation (28)
- [ ] Environmental/Toxic tort (30)
- [ ] Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment
- [ ] Enforcement of judgment (20)

Miscellaneous Civil Complaint
- [ ] RICO (27)
- [ ] Other complaint *(not specified above)* (42)

Miscellaneous Civil Petition
- [ ] Partnership and corporate governance (21)
- [ ] Other petition *(not specified above)* (43)

2. This case [ ] is [X] is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
   a. [ ] Large number of separately represented parties
   b. [ ] Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
   c. [ ] Substantial amount of documentary evidence
   d. [ ] Large number of witnesses
   e. [ ] Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
   f. [ ] Substantial postjudgment judicial supervision
3. Remedies sought *(check all that apply)*: a. [X] monetary b. [ ] nonmonetary; declaratory or injunctive relief c. [ ] punitive
4. Number of causes of action *(specify)*: 6 Negligence, Products Liability-Failure to Warn, Products Liability - Defective Design, Fraudulent Transfer; Constructive Fraudulent Transfer and Punitive Damages
5. This case [ ] is [X] is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. *(You may use form CM-015.)*

Date: 2.23.22
Benjamin A. Sampson
(TYPE OR PRINT NAME)

[signature]
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on **all** other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than $25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort
- Auto (22)–Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) *(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)*

Other PI/PD/WD (Personal Injury/ Property Damage/Wrongful Death) Tort
- Asbestos (04)
  - Asbestos Property Damage
  - Asbestos Personal Injury/ Wrongful Death
- Product Liability *(not asbestos or toxic/environmental)* (24)
- Medical Malpractice (45)
  - Medical Malpractice– Physicians & Surgeons
  - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
  - Premises Liability (e.g., slip and fall)
  - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
  - Intentional Infliction of Emotional Distress
  - Negligent Infliction of Emotional Distress
  - Other PI/PD/WD

Non-PI/PD/WD (Other) Tort
- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) *(not civil harassment)* (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
  - Legal Malpractice
  - Other Professional Malpractice *(not medical or legal)*
- Other Non-PI/PD/WD Tort (35)

Employment
- Wrongful Termination (36)
- Other Employment (15)

Contract
- Breach of Contract/Warranty (06)
  - Breach of Rental/Lease Contract *(not unlawful detainer or wrongful eviction)*
  - Contract/Warranty Breach–Seller Plaintiff *(not fraud or negligence)*
  - Negligent Breach of Contract/ Warranty
  - Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
  - Collection Case–Seller Plaintiff
  - Other Promissory Note/Collections Case
- Insurance Coverage *(not provisionally complex)* (18)
  - Auto Subrogation
  - Other Coverage
- Other Contract (37)
  - Contractual Fraud
  - Other Contract Dispute

Real Property
- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
  - Writ of Possession of Real Property
  - Mortgage Foreclosure
  - Quiet Title
  - Other Real Property *(not eminent domain, landlord/tenant, or foreclosure)*

Unlawful Detainer
- Commercial (31)
- Residential (32)
- Drugs (38) *(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)*

Judicial Review
- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
  - Writ–Administrative Mandamus
  - Writ–Mandamus on Limited Court Case Matter
  - Writ–Other Limited Court Case Review
- Other Judicial Review (39)
  - Review of Health Officer Order
  - Notice of Appeal–Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)
- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims *(arising from provisionally complex case type listed above)* (41)

Enforcement of Judgment
- Enforcement of Judgment (20)
  - Abstract of Judgment (Out of County)
  - Confession of Judgment *(non-domestic relations)*
  - Sister State Judgment
  - Administrative Agency Award *(not unpaid taxes)*
  - Petition/Certification of Entry of Judgment on Unpaid Taxes
  - Other Enforcement of Judgment Case

Miscellaneous Civil Complaint
- RICO (27)
- Other Complaint *(not specified above)* (42)
  - Declaratory Relief Only
  - Injunctive Relief Only *(non-harassment)*
  - Mechanics Lien
  - Other Commercial Complaint Case *(non-tort/non-complex)*
  - Other Civil Complaint *(non-tort/non-complex)*

Miscellaneous Civil Petition
- Partnership and Corporate Governance (21)
- Other Petition *(not specified above)* (43)
  - Civil Harassment
  - Workplace Violence
  - Elder/Dependent Adult Abuse
  - Election Contest
  - Petition for Name Change
  - Petition for Relief From Late Claim
  - Other Civil Petition

SHORT TITLE: Bradley D. McMartin v. The 3M Company, et al.	CASE NUMBER

CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION (CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
2. Permissive filing in central district.
3. Location where cause of action arose.
4. Mandatory personal injury filing in North District.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.
11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury).

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	☐ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
Auto Tort	Uninsured Motorist (46)	☐ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	☐ A6070 Asbestos Property Damage ☐ A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Product Liability (24)	☐ A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Medical Malpractice (45)	☐ A7210 Medical Malpractice - Physicians & Surgeons ☐ A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Other Personal Injury Property Damage Wrongful Death (23)	☐ A7250 Premises Liability (e.g., slip and fall) ☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) ☐ A7270 Intentional Infliction of Emotional Distress ☑ A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

SHORT TITLE: Bradley D. McMartin v. The 3M Company, et al.	CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	☐ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	☐ A6005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	☐ A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	☐ A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	☐ A6017 Legal Malpractice ☐ A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
	Other (35)	☐ A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	☐ A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	☐ A6024 Other Employment Complaint Case ☐ A6109 Labor Commissioner Appeals	1, 2, 3 10
Contract	Breach of Contract/ Warranty (06) (not insurance)	☐ A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) ☐ A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) ☐ A6019 Negligent Breach of Contract/Warranty (no fraud) ☐ A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
	Collections (09)	☐ A6002 Collections Case-Seller Plaintiff ☐ A6012 Other Promissory Note/Collections Case ☐ A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
	Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	☐ A6009 Contractual Fraud ☐ A6031 Tortious Interference ☐ A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
Real Property	Eminent Domain/Inverse Condemnation (14)	☐ A7300 Eminent Domain/Condemnation Number of parcels______	2, 6
	Wrongful Eviction (33)	☐ A6023 Wrongful Eviction Case	2, 6
	Other Real Property (26)	☐ A6018 Mortgage Foreclosure ☐ A6032 Quiet Title ☐ A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
Unlawful Detainer	Unlawful Detainer-Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer-Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer-Post-Foreclosure (34)	☐ A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer-Drugs (38)	☐ A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE: Bradley D. McMartin v. The 3M Company, et al.	CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	☐ A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	☐ A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	☐ A6151 Writ - Administrative Mandamus ☐ A6152 Writ - Mandamus on Limited Court Case Matter ☐ A6153 Writ - Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)	☐ A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	☐ A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	☐ A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	☐ A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	☐ A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	☐ A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	☐ A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	☐ A6141 Sister State Judgment ☐ A6160 Abstract of Judgment ☐ A6107 Confession of Judgment (non-domestic relations) ☐ A6140 Administrative Agency Award (not unpaid taxes) ☐ A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax ☐ A6112 Other Enforcement of Judgment Case	2, 5, 11 2, 6 2, 9 2, 8 2, 8 2, 8, 9
Miscellaneous Civil Complaints	RICO (27)	☐ A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	☐ A6030 Declaratory Relief Only ☐ A6040 Injunctive Relief Only (not domestic/harassment) ☐ A6011 Other Commercial Complaint Case (non-tort/non-complex) ☐ A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8 2, 8 1, 2, 8 1, 2, 8
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	☐ A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	☐ A6121 Civil Harassment With Damages ☐ A6123 Workplace Harassment With Damages ☐ A6124 Elder/Dependent Adult Abuse Case With Damages ☐ A6190 Election Contest ☐ A6110 Petition for Change of Name/Change of Gender ☐ A6170 Petition for Relief from Late Claim Law ☐ A6100 Other Civil Petition	2, 3, 9 2, 3, 9 2, 3, 9 2 2, 7 2, 3, 8 2, 9

SHORT TITLE: Bradley D. McMartin v. The 3M Company, et al.	CASE NUMBER

Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: ☐ 1. ☐ 2. ☐ 3. ☐ 4. ☐ 5. ☐ 6. ☐ 7. ☐ 8. ☐ 9. ☐ 10. ☑ 11.			ADDRESS: 9402 San Juan Avenue,
CITY: South Gate	STATE: CA	ZIP CODE: 90280	

Step 5: Certification of Assignment: I certify that this case is properly filed in the ______________ District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: 2.23.22

(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

22STCV06558
Electronically FILED by Superior Court of California, County of Los Angeles on 02/23/2022 09:51 AM Sherri R. Carter, Executive Officer/Clerk of Court, by N. Miramontes,Deputy Clerk
Assigned for all purposes to: Spring Street Courthouse, Judicial Officer: Jill Feeney

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

BRADLEY D. MCMARTIN, an individual; WALTER MADDOCKS, an individual; RODNEY COOPER, an individual; DAVID CAROLAN, an individual; MICHAEL CAMELLO, an individual; ALEXANDER SOLIS, an individual; JEFF HOWE, an individual; MICHAEL BRADLEY, an individual; NEAL LOWRY, an individual; PATRICK CRADDICK, an individual; ALEJANDRO HAUA, an individual; THOMAS MCLAUGHLIN, an individual; LUIS GERARDO DEL CID, an individual; JOSEPH SHUMACHER, an individual; ROBERT PERA, an individual; MICHAEL DUBRON, an individual; DAVID ROSE, an individual; DOUG SUTHERLAND, an individual; ROBERT HARMON, an individual; HARRY WONG, an individual; MICHAEL ALBARRAN, an individual; TOM FAHRNY, an individual; JANEL PHILLIPS, individually and as Successor-In-Interest to Decedent GLEN PHILLIPS; OLIVER KING, an individual; SCOTT STEPHENS, an individual, DIRK FLORES, an individual; DANIEL ZUBAK, an individual; KELLY ABADIE, an individual; ALVIN BLADES, an individual; LES FITZGERALD, an individual; RANDALL SMITH, an individual; DENNIS STANDROD, an individual; MARK ASHLEY, an individual; BLAIR WEIN, an individual; TIMOTHY JONES, an individual; MARK BENNETT, an individual; and VICENTE CASAS, an individual; Plaintiffs,	Case No.: 22STCV06558 **COMPLAINT REGARDING AQUEOUS FILM-FORMING FOAMS PRODUCTS LIABILITY LITIGATION** **DEMAND FOR JURY TRIAL**

vs.

THE 3M COMPANY, f/k/a Minnesota Mining and Manufacturing Co., AGC CHEMICALS AMERICAS INC., AMEREX CORPORATION, ARKEMA INC., ARCHROMA MANAGEMENT LLC, BASF CORPORATION, individually and as successor in interest to Ciba Inc., BUCKEYE FIRE EQUIPMENT COMPANY, CARRIER GLOBAL CORPORATION, CHEMDESIGN PRODUCTS INC., CHEMGUARD INC. CHEMICALS, INC., CLARIANT CORPORATION, individually and as successor in interest to Sandoz Chemical Corporation, CORTEVA, INC., individually and as successor in interest to DuPont Chemical Solutions Enterprise, DEEPWATER CHEMICALS, INC., DUPONT DE NEMOURS INC., individually and as successor in interest to DuPont Chemical Solutions Enterprise, DYNAX CORPORATION, E. I. DUPONT DE NEMOURS AND COMPANY, individually and as successor in interest to DuPont Chemical Solutions Enterprise, KIDDE-FENWAL, INC., individually and as successor in interest to Kidde Fire Fighting, Inc., NATION FORD CHEMICAL COMPANY, NATIONAL FOAM, INC., THE CHEMOURS COMPANY, individually and as successor in interest to DuPont Chemical Solutions Enterprise, THE CHEMOURS COMPANY FC, LLC, individually and as successor in interest to DuPont Chemical Solutions Enterprise, and TYCO FIRE PRODUCTS, LP, individually and as successor in interest to The Ansul Company,

Defendants.

Plaintiffs BRADLEY D. MCMARTIN, an individual; WALTER MADDOCKS, an individual; RODNEY COOPER, an individual; DAVID CAROLAN, an individual; MICHAEL CAMELLO, an individual; ALEXANDER SOLIS, an individual; JEFF HOWE, an individual; MICHAEL BRADLEY, an individual; NEAL LOWRY, an individual; PATRICK CRADDICK, an individual; ALEJANDRO HAUA, an individual; THOMAS MCLAUGHLIN, an individual; LUIS GERARDO DEL CID, an individual; JOSEPH SHUMACHER, an individual; ROBERT PERA, an individual; MICHAEL DUBRON, an individual; DAVID ROSE, an individual; DOUG SUTHERLAND, an individual; ROBERT HARMON, an individual; HARRY WONG, an individual; MICHAEL ALBARRAN, an individual; TOM FAHRNY, an individual; JANEL PHILLIPS, individually and as Successor-In-Interest to Decedent GLEN PHILLIPS; OLIVER KING, an individual; SCOTT STEPHENS, an individual; DIRK FLORES, an individual; DANIEL ZUBAK, an individual; KELLY ABADIE, an individual; ALVIN BLADES, an individual; LES FITZGERALD, an individual; RANDALL SMITH, an individual; DENNIS STANDROD, an individual; MARK ASHLEY, an individual; BLAIR WEIN, an individual; TIMOTHY JONES, an individual; MARK BENNETT, an individual; and VICENTE CASAS, an individual ("Plaintiffs"), by and through their undersigned counsel, hereby file this Complaint against Defendants, THE 3M COMPANY, f/k/a Minnesota Mining and Manufacturing Co., AGC CHEMICALS AMERICAS INC., AMEREX CORPORATION, ARKEMA INC., ARCHROMA MANAGEMENT LLC, BASF CORPORATION, individually and as successor in interest to Ciba Inc., BUCKEYE FIRE EQUIPMENT COMPANY, CARRIER GLOBAL CORPORATION, CHEMDESIGN PRODUCTS INC., CHEMGUARD INC. CHEMICALS, INC., CLARIANT CORPORATION, individually and as successor in interest to Sandoz Chemical Corporation, CORTEVA, INC., individually and as successor in interest to DuPont Chemical Solutions Enterprise, DEEPWATER CHEMICALS, INC., DUPONT DE NEMOURS INC., individually and as successor in interest to DuPont Chemical Solutions Enterprise, DYNAX CORPORATION, E. I. DUPONT DE NEMOURS AND COMPANY, individually and as successor in interest to DuPont Chemical Solutions Enterprise, KIDDE-FENWAL, INC., individually and as successor in interest to Kidde Fire Fighting, Inc., NATION FORD CHEMICAL COMPANY, NATIONAL FOAM, INC., THE CHEMOURS

COMPANY, individually and as successor in interest to DuPont Chemical Solutions Enterprise, THE CHEMOURS COMPANY FC, LLC, individually and as successor in interest to DuPont Chemical Solutions Enterprise, and TYCO FIRE PRODUCTS, LP, individually and as successor in interest to The Ansul Company (collectively, "Defendants"), and alleges, upon information and belief, as follows:

INTRODUCTION

1. Plaintiffs, on behalf of themselves and as successors in interest, bring this action for damages sustained resulting from the use and exposure to aqueous film-forming foam ("AFFF") products that contained per-and poly-fluoroalkyl substances ("PFAS"), including perfluorooctane sulfonate ("PFOS") and perfluorooctanoic acid ("PFOA").

2. PFOS and PFOA are fluorosurfactants that repel oil, grease, and water. PFOS, PFOA, and/or their chemical precursors, are or were components of AFFF products, which are firefighting suppressant agents used in training and firefighting activities for fighting Class B fires. Class B fires include fires involving hydrocarbon fuels such as petroleum or other flammable liquids.

3. PFOS and PFOA are mobile, persist indefinitely in the environment, bioaccumulate in individual organisms and humans, and biomagnify up the food chain. PFOS and PFOA are also associated with multiple and significant adverse health effects in humans, including but not limited to lymphoma, throat cancer, bladder cancer, thyroid cancer, kidney cancer, rectal cancer, colon cancer, prostate cancer, colorectal carcinoid tumor, leukemia, and testicular cancer.

4. At various times from the 1960s through today, Defendants designed, manufactured, marketed, distributed, and/or sold AFFF products containing PFOS, PFOA, and/or their chemical precursors, and/or designed, manufactured, marketed, distributed, and/or sold the fluorosurfactants and/or perfluorinated chemicals ("PFCs") contained in AFFF (collectively, "AFFF/Component Products").

5. Defendants designed, manufactured, marketed, distributed, and/or sold AFFF/Component Products with the knowledge that these toxic compounds would be released into the environment during fire protection, training, and response activities, even when used as directed and intended by Defendants.

6. Since its creation in the 1960s, AFFF designed, manufactured, marketed, distributed, and/or sold by Defendants, and/or that contained fluorosurfactants and/or PFCs designed, manufactured, marketed, distributed, and/or sold by Defendants, used as directed and intended by Defendants, and subsequently released into the environment during fire protection, training and response activities, resulting in widespread PFAS contamination.

7. Plaintiffs are firefighters, mechanics, and/or military personnel who worked and/or trained at various locations that have sustained injuries and damages as a result of direct, secondary, and/or take-home exposure to Defendants' AFFF/Component Products containing PFOS, PFOA, and/or their chemical precursors.

8. Over the course of the past several decades, Plaintiffs were routinely exposed to PFAS at the fire departments, airports, storage centers, or training centers, where AFFF products containing PFOS, PFOA, and/or their chemical precursors were used, handled, and stored, resulting in significant personal injuries and death.

9. Plaintiffs used these AFFF products in their intended manner and without significant change in the products' condition. Unaware of the dangerous properties of Defendants' AFFF/Component Products, Plaintiffs relied on inadequate warnings and instructions provided by Defendants regarding the proper methods for handling and storing the products. Plaintiffs' use, consumption, inhalation, ingestion, and/or dermal absorption of PFAS from Defendants' AFFF/Component Products has caused them to develop numerous serious medical conditions, including, but not limited to, lymphoma, throat cancer, bladder cancer, thyroid cancer, kidney cancer, rectal cancer, colon cancer, prostate cancer, colorectal carcinoid tumor, leukemia, and testicular cancer.

10. Providing the public service of suppressing fires is dangerous and Defendants further increased the occupational risk to Plaintiffs by designing, manufacturing, marketing and/or distributing AFFF/Component Products, knowing full well that those products were dangerous because they contained PFOS, PFOA, and/or their chemical precursors.

JURISDICTION AND VENUE

11. Pursuant to Article VI, Section 10 of the California Constitution, subject matter jurisdiction is proper in the Superior Court of California, County of Los Angeles;

12. Pursuant to Section 395 of the California *Code of Civil Procedure*, venue is proper in the Superior Court of California for the County of Los Angeles, because the Defendants conducted business in Los Angeles County.

PARTIES

A. Plaintiffs

13. Plaintiff **Bradley D. McMartin** ("Plaintiff McMartin") currently resides at 16737 Tiara Court, Canyon Country, California 91387.

14. Plaintiff McMartin worked as a firefighter for the City of Glendale for over thirty years. During Plaintiff McMartin's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

15. Plaintiff McMartin used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

16. Plaintiff McMartin was diagnosed with Lymphoma in 2017 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

17. Plaintiff **Walter Maddocks** ("Plaintiff Maddocks") currently resides at 304 Plaza Cabana, San Clemente, California 92673.

18. Plaintiff Maddocks has worked as a firefighter. During Plaintiff Maddocks' employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

19. Plaintiff Maddocks used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels

of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

20. Plaintiff Maddocks has been diagnosed with throat cancer as a direct and proximate result of his exposure to PFAS and is at increased risk of developing several other serious health conditions.

21. Plaintiff **Rodney Cooper** ("Plaintiff Cooper") currently resides at 28960 Rock Canyon Road, Santa Clarita, California 91390.

22. Plaintiff Cooper worked as a firefighter for Los Angeles County Fire Department from approximately 1978 to 2012. During Plaintiff Cooper's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

23. Plaintiff Cooper used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

24. Plaintiff Cooper was diagnosed with colon cancer in 2007 and with prostate cancer in 2011 as s a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions. He underwent surgery to have a portion of his colon removed and to have his prostate removed. He has sustained significant health complications and emotional distress due to his exposure to PFAS.

25. Plaintiff **David Carolan** ("Plaintiff Carolan") currently resides at 32772 Matthew Drive, Dana Point, California 92629.

26. Plaintiff Carolan worked as a firefighter for the Los Angeles County Fire Department. During Plaintiff Carolan's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

27. Plaintiff Carolan used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels

of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

28. Plaintiff Carolan was diagnosed with prostate cancer in 2002 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions. He has had his prostate surgically removed and still suffers from bladder and colon issues, along with significant emotional distress.

29. Plaintiff **Michael Camello** ("Plaintiff Camello") currently resides at 31588 Corte Rosario, Temecula, California 92592.

30. Plaintiff Camello worked as a firefighter for the Los Angeles Fire Department from 1977 until around 1980 when he was promoted to working as an arson investigator. He worked as a fire investigator until he retired in 2013. During Plaintiff Camello's employment as a firefighter and fire investigator, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

31. Plaintiff Camello used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

32. Plaintiff Camello was diagnosed with prostate cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

33. Plaintiff **Alexander Solis** ("Plaintiff Solis") currently resides at 38410 Shoal Creek Drive, Murrieta, California 92562.

34. Plaintiff Solis has worked as a firefighter. During Plaintiff Solis' employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

35. Plaintiff Solis used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels

of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

36. Plaintiff Solis had his kidney removed and has been diagnosed with having a neuroendocrine tumor as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

37. Plaintiff **Jeff Howe** ("Plaintiff Howe") currently resides at 1324 Twin Tides Place, Oxnard, California 93035.

38. Plaintiff Howe worked as a firefighter for the City of Burbank for over 35 years. During Plaintiff Howe's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

39. Plaintiff Howe used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

40. Plaintiff Howe was diagnosed with a colorectal carcinoid tumor in 2012 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

41. Plaintiff **Michael Bradley** ("Plaintiff Bradley") currently resides at 2503 Edam Street, Lancaster, California 93536.

42. Plaintiff Bradley worked as a firefighter for the Los Angeles County Fire Department from approximately 1988 to 2020. Before then, he worked at a United States Airforce plant from approximately 1983 to 1988. During Plaintiff Bradley's employment, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

43. Plaintiff Bradley used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels

of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

44. Plaintiff Bradley was diagnosed with chronic lymphocytic leukemia in 2017 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions. Should Plaintiff Bradley's condition worsen, he will be forced to undergo bone marrow transplants, blood transfusions, radiation and/or chemotherapy.

45. Plaintiff **Neal Lowry** ("Plaintiff Lowry") currently resides at 14 Pacific Grove Drive, Aliso Viejo, California 92656.

46. Plaintiff Lowry has worked as a firefighter for the City of Santa Fe Springs for approximately 32 years. During Plaintiff Lowry's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

47. Plaintiff Lowry used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

48. Plaintiff Lowry was diagnosed with testicular cancer in 2004 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

49. Plaintiff **Patrick Craddick** ("Plaintiff Craddick") currently resides at 5010 Club Terrace Drive, Yorba Linda, California 92886.

50. Plaintiff Craddick worked as a firefighter for Santa Fe Springs Fire Department for over 30 years. During Plaintiff Craddick's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

51. Plaintiff Craddick used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels

of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

52. Plaintiff Craddick was diagnosed with thyroid cancer in 2012 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

53. Plaintiff **Alejandro Haua** ("Plaintiff Haua") currently resides at 19372 Jasper Hill Road, Trabuco Canyon, California 92679.

54. Plaintiff Haua worked as a firefighter. During Plaintiff Haua's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

55. Plaintiff Haua used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

56. Plaintiff Haua has been diagnosed with prostate cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

57. Plaintiff **Thomas McLaughlin** ("Plaintiff McLaughlin") currently resides at 34755 Garlock Road, Acton, California 93510.

58. Plaintiff McLaughlin worked as a firefighter for the Glendale Fire Department for over twenty years. Before then, he served in the United States Navy for approximately five (5) years. During Plaintiff McLaughlin's service for the United States Navy and during his employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

59. Plaintiff McLaughlin used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

60. Plaintiff McLaughlin was diagnosed with testicular cancer in 2014 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions. Plaintiff McLaughlin underwent chemotherapy treatment and lost a testicle as a result of his diagnosis. He still experiences bladder problems, low testosterone and emotional distress to this day.

61. Plaintiff **Luis Gerardo Del Cid** ("Plaintiff Del Cid") currently resides at 9402 San Juan Avenue, South Gate, California 90280.

62. Plaintiff Del Cid works as a Fire Equipment Mechanic for Los Angeles County Fire Department. During Plaintiff Del Cid's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

63. Plaintiff Del Cid used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

64. Plaintiff Del Cid was diagnosed with colon cancer in 2017 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

65. Plaintiff **Joseph Shumacher** ("Plaintiff Shumacher") currently resides at 7206 Princess Anne Court, Warrenton, Virginia 20187.

66. Plaintiff Shumacher worked as a firefighter for the City of Fairfax, Virginia. During Plaintiff Shumacher's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

67. Plaintiff Schumacher used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

68. Plaintiff Shumacher has been diagnosed with testicular cancer and Lymphoma as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

69. Plaintiff **Robert Pera** ("Plaintiff Pera") currently resides at 5410 Driftwood Street, Apt. A, Oxnard, California 93035.

70. Plaintiff Pera worked as a firefighter for Los Angeles County Fire Department from 1998 to approximately 2017. Before then, Plaintiff Pera worked at airport and naval bases for the United States Department of Defense. During Plaintiff Pera's employment, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

71. Plaintiff Pera used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

72. Plaintiff Pera was diagnosed with bladder cancer in 2017 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

73. Plaintiff **Michael Dubron** ("Plaintiff Dubron") currently resides at 22533 Cardiff Drive, Saugus, California 91350.

74. Plaintiff Dubron has worked as a firefighter for Los Angeles County Fire Department since 1991. Before then, Plaintiff Dubron worked on air force bases as a firefighter. During Plaintiff Dubron's employment, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

75. Plaintiff Dubron used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

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76. Plaintiff Dubron was diagnosed with colon cancer in 2003 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

77. Plaintiff **David Rose** ("Plaintiff Rose") currently resides at 14460 Sunset Ridge, Riverside, California 92503.

78. Plaintiff Rose has worked as a firefighter since approximately 1982. During Plaintiff Rose's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

79. Plaintiff Rose used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

80. Plaintiff Rose was diagnosed with metastatic prostate cancer in 2019 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

81. Plaintiff **Doug Sutherland** ("Plaintiff Sutherland") currently resides at 619 19th Street, Unit C, Huntington Beach, California 92648.

82. Plaintiff Sutherland worked as a firefighter for the Los Angeles County Fire Department. During Plaintiff Sutherland's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

83. Plaintiff Sutherland used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

84. Plaintiff Sutherland was diagnosed with thyroid cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

85. Plaintiff **Robert Harmon** ("Plaintiff Harmon") currently resides at 2967 Glenberry Court, Fullerton, California 92835.

86. Plaintiff Harmon worked as a firefighter for Los Angeles County Fire Department. During Plaintiff Harmon's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

87. Plaintiff Harmon used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

88. Plaintiff Harmon was diagnosed with prostate cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

89. Plaintiff **Harry Wong** ("Plaintiff Wong") currently resides at 13602 Leibacher, Norwalk, California 90650.

90. Plaintiff Wong has worked as a Fire Equipment Mechanic for Los Angeles County since approximately 2003. During Plaintiff Wong's employment, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

91. Plaintiff Wong used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

92. Plaintiff Wong was diagnosed with kidney cancer in 2016 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions. He was recently diagnosed with cancer again after having already lost his kidney.

93. Plaintiff **Michael Albarran** ("Plaintiff Albarran") currently resides at 3026 Volk Avenue, Long Beach, California 90808.

94. Plaintiff Albarran worked as a firefighter for the Long Beach Fire Department. During Plaintiff Albarran's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

95. Plaintiff Albarran used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

96. Plaintiff Albarran was diagnosed with colon cancer in 2007 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing other serious serious health conditions.

97. Plaintiff **Tom Fahrny** ("Plaintiff Fahrny") currently resides in Anaheim, California.

98. Plaintiff Fahrny worked as a firefighter for approximately 30 years. During Plaintiff Fahrny's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

99. Plaintiff Fahrny used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

100. Plaintiff Fahrny was diagnosed with prostate cancer in 2019 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

101. Plaintiff **Janel Phillips** ("Plaintiff Phillips") currently resides at 27163 Highlands Lane, Valencia, California 91354.

102. Plaintiff Phillips' husband, Glen Phillips, worked for the Los Angeles Fire Department. During Glen Phillips' employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of

Defendants' AFFF/Component Products.

103. Glen Phillips used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

104. Glen Phillips died as a result of colon cancer. Glen Phillips' colon cancer was caused as a direct and proximate result of his exposure to PFAS.

105. Plaintiff **Oliver King** ("Plaintiff King") currently resides at 22330 Meyler Street, Apt. 11, Torrance, California 90502.

106. Plaintiff King worked as a firefighter for the Los Angeles County Fire Department for approximately 31 years. During Plaintiff King's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

107. Plaintiff King used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

108. Plaintiff King was diagnosed with prostate and thyroid cancer in 2017 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

109. Plaintiff **Scott Stephens** ("Plaintiff Stephens") currently resides in Page, Arizona.

110. Plaintiff Stephens worked as a firefighter for approximately 33 years. During Plaintiff Stephens employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

111. Plaintiff Stephens used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels

of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

112. Plaintiff Stephens was diagnosed with rectal cancer in 2010 as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

113. Plaintiff **Dirk Flores** ("Plaintiff Flores") currently resides at 951 Taylor Street, #12, Vista, CA 92084.

114. Plaintiff Flores worked as a firefighter for the City of Laguna Beach. During Plaintiff Flores' employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

115. Plaintiff Flores used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

116. Plaintiff Flores was diagnosed with chronic lymphocytic leukemia as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

117. Plaintiff **Daniel Zubak** ("Plaintiff Zubak") currently resides at 3845 Goddard Way, Corona, California 92882.

118. Plaintiff Zubak worked as a firefighter. During Plaintiff Zubak's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

119. Plaintiff Zubak used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

120. Plaintiff Zubak was diagnosed with renal cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

121. Plaintiff **Kelly Abadie** ("Plaintiff Abadie") currently resides at 2063 Havenhurst Way, Upland, CA 91784.

122. Plaintiff Abadie worked as a firefighter. During Plaintiff Abadie's employment as a firefighter, she was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

123. Plaintiff Abadie used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of her use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

124. Plaintiff Abadie was diagnosed with breast cancer as a direct and proximate result of her exposure to PFAS and is at an increased risk of developing several other serious health conditions.

125. Plaintiff **Alvin Blades** ("Plaintiff Blades") currently resides at 16 Rancho Laguna Drive, Pomona, CA 91766.

126. Plaintiff Blades worked as a firefighter. During Plaintiff Blades' employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

127. Plaintiff Blades used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

128. Plaintiff Blades was diagnosed with a serious ailment as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

129. Plaintiff **Les Fitzgerald** ("Plaintiff Fitzgerald") currently resides at 73552 Silver Moon Trail, Palm Desert, CA 92260.

130. Plaintiff Fitzgerald worked as a firefighter. During Plaintiff Fitzgerald's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

131. Plaintiff Fitzgerald used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

132. Plaintiff Fitzgerald was diagnosed with cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

133. Plaintiff **Randall Smith** ("Plaintiff Smith") currently resides at 1735 Tamarron Drive, Corona, CA 92883.

134. Plaintiff Smith worked as a firefighter. During Plaintiff Smith's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

135. Plaintiff Smith used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

136. Plaintiff Smith was diagnosed with prostate cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

137. Plaintiff **Dennis Standrod** ("Plaintiff Standrod") currently resides at 23395 Modoc Court, Perris, California 92870.

138. Plaintiff Standrod worked as a firefighter. During Plaintiff Standrod's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

139. Plaintiff Standrod used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

140. Plaintiff Standrod was diagnosed with prostate cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

141. Plaintiff **Mark Ashley** ("Plaintiff Ashley") currently resides at 10973 Eastside Road, Priest River, Idaho, 83856.

142. Plaintiff Ashley worked as a firefighter. During Plaintiff Ashley's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

143. Plaintiff Ashley used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

144. Plaintiff Ashley was diagnosed with prostate cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

145. Plaintiff **Blair Wein** ("Plaintiff Wein") currently resides at 2764 Keats Ave., Thousand Oaks, CA 91360.

146. Plaintiff Wein worked as a firefighter. During Plaintiff Wein's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

147. Plaintiff Wein used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

148. Plaintiff Wein was diagnosed with prostate cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

149. Plaintiff **Timothy Jones** ("Plaintiff Jones") currently resides at 25345 Narbonne Avenue, Lomita, California 90717.

150. Plaintiff Jones worked as a firefighter. During Plaintiff Jones' employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

151. Plaintiff Jones used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

152. Plaintiff Jones was diagnosed with testicular cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

153. Plaintiff **Mark Bennett** ("Plaintiff Bennett") currently resides at 968 N. 300 W. Hurricane, Utah 84737.

154. Plaintiff Bennett worked as a firefighter. During Plaintiff Bennett's employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

155. Plaintiff Bennett used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use,

consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

156. Plaintiff Bennett was diagnosed with prostate cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

157. Plaintiff **Vicente Casas** ("Plaintiff Casas") currently resides at 205 Capri Road, Las Cruces, New Mexico 88005.

158. Plaintiff Casas worked as a firefighter. During Plaintiff Casas' employment as a firefighter, he was exposed to significantly elevated levels of PFAS as a result of regular contact with and use of Defendants' AFFF/Component Products.

159. Plaintiff Casas used AFFF containing PFAS, used equipment/gear coated with materials containing and/or contaminated with PFAS, and was otherwise exposed to elevated levels of PFAS as a direct and proximate result of his use, consumption, inhalation, ingestion, and/or dermal absorption of Defendants' AFFF/Component Products.

160. Plaintiff Casas was diagnosed with cancer as a direct and proximate result of his exposure to PFAS and is at an increased risk of developing several other serious health conditions.

B. Defendants

161. The term "Defendants" refers to all Defendants named herein jointly and severally.

1. The AFFF Defendants

162. The term **"AFFF Defendants"** refers collectively to Defendants 3M Company, Angus International Safety Group, Ltd., Amerex Corporation, Buckeye Fire Equipment Company, Carrier Global Corporation, Central Sprinkler, LLC, Chemguard Inc., Fire Products GP Holding, LLC, Johnson Controls International PLC, Kiddie-Fenwal, Inc., National Foam, Inc., and Tyco Fire Products L.P.

163. **Defendant The 3M Company f/k/a Minnesota Mining and Manufacturing Co. ("3M")** is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 3M Center, St. Paul, Minnesota 55144-1000.

164. Beginning before 1970 and until at least 2002, 3M designed, manufactured, marketed, distributed, and sold AFFF containing PFAS, including but not limited to PFOA and PFOS.

165. **Defendant Amerex Corporation ("Amerex")** is a corporation organized and existing under the laws of the State of Alabama, with its principal place of business located at 7595 Gadsden Highway, Trussville, AL 35173.

166. Amerex is a manufacturer of firefighting products. Beginning in 1971, it was a manufacturer of hand portable and wheeled extinguishers for commercial and industrial applications.

167. In 2011, Amerex acquired Solberg Scandinavian AS, one of the largest manufacturers of AFFF products in Europe.

168. On information and belief, beginning in 2011, Amerex designed, manufactured, marketed distributed, and sold AFFF containing PFAS, including but not limited to PFOA and PFOS.

169. **Defendant Tyco Fire Products LP ("Tyco")** is a limited partnership organized under the laws of the State of Delaware, with its principal place of business located at One Stanton Street, Marinette, Wisconsin 54143-2542.

170. Tyco is the successor in interest of The Ansul Company ("Ansul"), having acquired Ansul in 1990.

171. Beginning in or around 1975, Ansul designed, manufactured, marketed, distributed, and sold AFFF containing PFAS, including but not limited to PFOA and PFOS.

172. After Tyco acquired Ansul in 1990, Tyco/Ansul continued to design, manufacture, market, distribute, and sell AFFF products containing PFAS, including but not limited to PFOA and PFOS.

173. **Defendant Chemguard, Inc. ("Chemguard")** is a corporation organized under the laws of the State of Texas, with its principal place of business located at One Stanton Street, Marinette, Wisconsin 54143.

174. On information and belief, Chemguard designed, manufactured, marketed, distributed, and sold AFFF products containing PFAS, including but not limited to PFOA and PFOS.

175. On information and belief, Chemguard was acquired by Tyco International Ltd. in 2011.

176. **Defendant Buckeye Fire Equipment Company ("Buckeye")** is a corporation organized under the laws of the State of Ohio, with its principal place of business located at 110 Kings Road, Kings Mountain, North Carolina 28086.

177. On information and belief, Buckeye designed, manufactured, marketed, distributed, and sold AFFF products containing PFAS, including but not limited to PFOA and PFOS.

178. **Defendant National Foam, Inc. ("National Foam")** is a corporation organized under the laws of the State of Delaware, with its principal place of business located at 141 Junny Road, Angier, North Carolina 27501.

179. Beginning in or around 1973, National Foam designed, manufactured, marketed, distributed, and sold AFFF containing PFAS, including but not limited to PFOA and PFOS.

180. On information and belief, National Foam currently manufactures the Angus brand of AFFF products and is a subsidiary of Angus International Safety Group.

181. On information and belief, National Foam merged with Chubb Fire Ltd. to form Chubb National Foam, Inc. in or around 1988.

182. On information and belief, Chubb is or has been composed of different subsidiaries and/or divisions, including but not limited to, Chubb Fire & Security Ltd., Chubb Security, PLC, Red Hawk Fire & Security, LLC, and/or Chubb National Foam, Inc. (collectively referred to as "Chubb").

183. On information and belief, Chubb was acquired by Williams Holdings in 1997.

184. On information and belief, Angus Fire Armour Corporation had previously been acquired by Williams Holdings in 1994.

185. On information and belief, Williams Holdings was demerged into Chubb and Kidde P.L.C. in or around 2000.

186. On information and belief, when Williams Holdings was demerged, Kidde P.L.C. became the successor in interest to National Foam System, Inc. and Angus Fire Armour Corporation.

187. On information and belief, Kidde P.L.C. was acquired by United Technologies Corporation in or around 2005.

188. On information and belief, Angus Fire Armour Corporation and National Foam separated from United Technologies Corporation in or around 2013.

189. **Defendant Kidde-Fenwal, Inc. ("Kidde-Fenwal")** is a corporation organized under the laws of the State of Delaware, with its principal place of business at One Financial Plaza, Hartford, Connecticut 06101.

190. On information and belief, Kidde-Fenwal was an operating subsidiary of Kidde P.L.C. and manufactured AFFF following Kidde P.L.C.'s acquisition by United Technologies Corporation.

191. On information and belief, Kidde-Fenwal is the entity that divested the AFFF business unit now operated by National Foam in 2013.

192. **Defendant Carrier Global Corporation ("Carrier")** is a corporation organized under the laws of the State of Delaware, with its principal place of business at 13995 Pasteur Boulevard, Palm Beach Gardens, Florida 33418.

193. On information and belief, Carrier was formed in March 2020 when United Technologies Corporation spun off its fire and security business before it merged with Raytheon Company in April 2020.

194. On information and belief, Kidde-Fenwal became a subsidiary of Carrier when United Technologies Corporation spun off its fire and security business in March 2020.

195. On information and belief, the AFFF Defendants designed, manufactured, marketed, distributed, and sold AFFF products containing PFOS, PFOA, and/or their chemical precursors that were stored, handled, used, trained with, tested equipment with, otherwise discharged, and/or disposed at sites where Plaintiffs worked, trained and/or served.

2. The Fluorosurfactant Defendants

196. The term **"Fluorosurfactant Defendants"** refers collectively to Defendants 3M, Arkema Inc., BASF Corporation, ChemDesign Products Incorporated, Chemguard Inc., Deepwater Chemicals, Inc., E.I. DuPont de Nemours and Company, The Chemours Company, The Chemours Company FC, LLC, DuPont de Nemours Inc., and Dynax Corporation.

197. **Defendant Arkema Inc.** is a corporation organized and existing under the laws of Pennsylvania, with its principal place of business at 900 First Avenue, King of Prussia, PA 19406.

198. Arkema Inc. develops specialty chemicals and polymers.

199. Arkema, Inc. is an operating subsidiary of Arkema France, S.A.

200. On information and belief, Arkema Inc. designed, manufactured, marketed, distributed, and sold fluorosurfactants containing PFOS, PFOA, and/or their chemical precursors for use in AFFF products.

201. **Defendant BASF Corporation ("BASF")** is a corporation organized under the laws of the State of Delaware, with its principal place of business located at 100 Park Avenue, Florham Park, New Jersey 07932.

202. On information and belief, BASF is the successor-in-interest to Ciba. Inc. (f/k/a Ciba Specialty Chemicals Corporation). / / /

203. On information and belief, Ciba Inc. designed, manufactured, marketed, distributed, and sold fluorosurfactants containing PFOS, PFOA, and/or their chemical precursors for use in AFFF products.

204. **Defendant ChemDesign Products Inc. ("ChemDesign")** is a corporation organized under the laws of Delaware, with its principal place of business located at 2 Stanton Street, Marinette, WI, 54143.

205. On information and belief, ChemDesign designed, manufactured, marketed, distributed, and sold fluorosurfactants containing PFOS, PFOA, and/or their chemical precursors for use in AFFF products

206. **Defendant Deepwater Chemicals, Inc. ("Deepwater")** is a corporation organized under the laws of Delaware, with its principal place of business located at 196122 E County Road 40, Woodward, OK, 73801.

207. On information and belief, Deepwater Chemicals designed, manufactured, marketed, distributed, and sold fluorosurfactants containing PFOS, PFOA, and/or their chemical precursors for use in AFFF products

208. **Defendant Dynax Corporation ("Dynax")** is a corporation organized under the laws of the State of Delaware, with its principal place of business located at 103 Fairview Park Drive, Elmsford, New York 10523.

209. On information and belief, Dynax entered into the AFFF market on or about 1991 and quickly became a leading global producer of fluorosurfactants and fluorochemical stabilizers containing PFOS, PFOA, and/or their chemical precursors.

210. On information and belief, Dynax designed, manufactured, marketed, distributed, and sold fluorosurfactants and fluorochemical stabilizers containing PFOS, PFOA, and/or their chemical precursors for use in AFFF products.

211. **Defendant E.I. du Pont de Nemours & Company ("DuPont")** is a corporation organized under the laws of the State of Delaware, with its principal place of business located at 974 Centre Road, Wilmington, Delaware 19805.

212. **Defendant The Chemours Company ("Chemours Co.")** is a limited liability company organized under the laws of the State of Delaware, with its principal place of business located at 1007 Market Street, P.O. Box 2047, Wilmington, Delaware, 19899.

213. In 2015, DuPont spun off its performance chemicals business to Chemours Co., along with vast environmental liabilities which Chemours Co. assumed, including those related to PFOS and PFOA and fluorosurfactants. On information and belief, Chemours Co. has supplied fluorosurfactants containing PFOS and PFOA, and/or their chemical precursors to manufacturers of AFFF products.

214. On information and belief, Chemours Co. was incorporated as a subsidiary of DuPont as of April 30, 2015. From that time until July 2015, Chemours Co. was a wholly-owned subsidiary of DuPont.

215. In July 2015, DuPont spun off Chemours Co. and transferred to Chemours Co. its "performance chemicals" business line, which includes its fluoroproducts business, distributing shares of Chemours Co. stock to DuPont stockholders, and Chemours Co. has since been an independent, publicly-traded company.

216. **Defendant The Chemours Company FC, LLC ("Chemours FC")** is a limited liability company organized under the laws of the State of Delaware, with its principal place of business located at 1007 Market Street, Wilmington, Delaware, 1989.

217. **Defendant Corteva, Inc. ("Corteva")** is a corporation organized and existing under the laws of Delaware, with its principal place of business at 974 Centre Rd., Wilmington, Delaware 19805.

218. **Defendant Dupont de Nemours Inc. f/k/a DowDuPont, Inc. ("Dupont de Nemours Inc.")** is a corporation organized and existing under the laws of Delaware, with its principal place of business at 974 Centre Road, Wilmington, Delaware 19805 and 2211 H.H. Dow Way, Midland, Michigan 48674.

219. On June 1, 2019, DowDuPont separated its agriculture business through the spin-off of Corteva.

220. Corteva was initially formed in February 2018. From that time until June 1, 2019, Corteva was a wholly-owned subsidiary of DowDuPont.

221. On June 1, 2019, DowDuPont distributed to DowDuPont stockholders all issued and outstanding shares of Corteva common stock by way of a pro-rata dividend. Following that distribution, Corteva became the direct parent of E. I. Du Pont de Nemours & Co.

222. Corteva holds certain DowDuPont assets and liabilities, including DowDuPont's agriculture and nutritional businesses.

223. On June 1, 2019, DowDuPont, the surviving entity after the spin-off of Corteva and of another entity known as Dow, Inc., changed its name to DuPont de Nemours, Inc., to be known as DuPont ("New DuPont"). New DuPont retained assets in the specialty products business lines following the above-described spin-offs, as well as the balance of the financial assets and liabilities of E.I DuPont not assumed by Corteva.

224. Defendants E. I. Du Pont de Nemours and Company; The Chemours Company; The Chemours Company FC, LLC; Corteva, Inc.; and DuPont de Nemours, Inc. are collectively referred to as "DuPont" throughout this Complaint.

225. On information and belief, Dupont designed, manufactured, marketed, distributed, and sold fluorosurfactants containing PFOS, PFOA, and/or their chemical precursors for use in AFFF products.

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226. On information and belief, 3M and Chemguard also designed, manufactured, marketed, distributed, and sold fluorosurfactants containing PFOS, PFOA, and/or their chemical precursors for use in AFFF products.

227. On information and belief, the Fluorosurfactant Defendants designed, manufactured, marketed, distributed, and sold fluorosurfactants containing PFOS, PFOA, and/or their chemical precursors for use in AFFF products that were stored, handled, used, trained with, tested equipment with, otherwise discharged, and/or disposed at sites Plaintiffs' worked, trained and/or served.

3. The PFC Defendants

228. The term **"PFC Defendants"** refers collectively to 3M, AGC Chemicals Americas Inc., Archroma Management LLC, ChemDesign Products Inc., Chemicals, Inc., Clariant Corporation, Deepwater Chemicals, Inc., E. I. DuPont de Nemours and Company, The Chemours Company, The Chemours Company FC, LLC, Corteva, Inc., DuPont de Nemours Inc., and Nation Ford Chemical Company.

229. **Defendant AGC Chemicals Americas, Inc. ("AGC")** is a corporation organized and existing under the laws of Delaware, having its principal place of business at 55 East Uwchlan Avenue, Suite 201, Exton, PA 19341.

230. On information and belief, AGC Chemicals Americas, Inc. was formed in 2004 and is a subsidiary of AGC Inc., a foreign corporation organized under the laws of Japan, with its a principal place of business in Tokyo, Japan.

231. AGC manufactures specialty chemicals. It offers glass, electronic displays, and chemical products, including resins, water and oil repellants, greenhouse films, silica additives, and various fluorointermediates.

232. On information and belief, AGC designed, manufactured, marketed, distributed, and sold PFCs containing PFOS, PFOA, and/or their chemical precursors for use in manufacturing the flurosurfactants used in AFFF products.

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233. **Defendant Archroma Management LLC ("Archroma")** is a foreign corporation organized and existing under the laws of Switzerland, with its principal place of business at Neuhofstrasse 11, 4153 Reinach, Basel-Land, Switzerland./ / /

234. On information and belief, Archroma was formed in 2013 when Clariant Corporation divested its textile chemicals, paper specialties, and emulsions business to SK Capital Partners.

235. On information and belief, Archroma designed, manufactured, marketed, distributed, and sold PFCs containing PFOS, PFOA, and/or their chemical precursors for use in manufacturing the fluorosurfactants used in AFFF products.

236. **Defendant Chemicals, Inc. ("Chemicals, Inc.")** is a corporation organized and existing under the laws of Texas, with its principal place of business located at 12321 Hatcherville, Baytown, TX 77520.

237. On information and belief, Chemicals, Inc. supplied PFCs containing PFOS, PFOA, and/or their chemical precursors for use in manufacturing the fluorosurfactants used in AFFF products.

238. **Defendant Clariant Corporation ("Clariant")** is a corporation organized and existing under the laws of New York, with its principal place of business at 4000 Monroe Road, Charlotte, North Carolina 28205.

239. On information and belief, Clariant is the successor in interest to the specialty chemicals business of Sandoz Chemical Corporation ("Sandoz"). On information and belief, Sandoz spun off its specialty chemicals business to form Clariant in 1995.

240. On information and belief, Clariant supplied PFCs containing PFOS, PFOA, and/or their chemical precursors for use in manufacturing the fluorosurfactants used in AFFF products.

241. **Defendant Nation Ford Chemical Co. ("Nation Ford")** is a corporation organized and existing under the laws of South Carolina, with its principal place of business located at 2300 Banks Street, Fort Mill, SC 29715.

242. On information and belief, Nation Ford supplied PFCs containing PFOS, PFOA, and/or their chemical precursors for use in manufacturing the fluorosurfactants used in AFFF products.

243. On information and belief, 3M, ChemDesign, Deepwater Chemicals, and DuPont also supplied PFCs containing PFOS, PFOA, and/or their chemical precursors for use in manufacturing the fluorosurfactants used in AFFF products.

244. On information and belief, the Fluorochemical Defendants supplied PFCs containing PFOS, PFOA, and/or their chemical precursors for use in manufacturing the fluorosurfactants used in AFFF products that were stored, handled, used, trained with, tested equipment with, otherwise discharged, and/or disposed at locations where Plaintiffs worked, trained and/or served.

245. Defendants represent all or substantially all of the market for AFFF/Component Products at the locations where Plaintiffs worked, served and/or trained.

FACTUAL ALLEGATIONS RELEVANT TO ALL CAUSES OF ACTION

A. PFOA and PFOS and Their Risk to Public Health

246. PFAS are chemical compounds containing fluorine and carbon. These substances have been used for decades in the manufacture of, among other things, household and commercial products that resist heat, stains, oil, and water. These substances are not naturally occurring and must be manufactured.

247. The two most widely studied types of these substances are PFOA and PFOS.

248. PFOA and PFOS have unique properties that cause them to be: (i) mobile and persistent, meaning that they readily spread into the environment where they break down very slowly; (ii) bioaccumulative and biomagnifying, meaning that they tend to accumulate in organisms and up the food chain; and (iii) toxic, meaning that they pose serious health risks to humans and animals.

249. PFOA and PFOS easily dissolve in water, and thus they are mobile and easily spread in the environment. PFOA and PFOS also readily contaminate soils and leach from the soil into groundwater, where they can travel significant distances. / / /

250. PFOA and PFOS are characterized by the presence of multiple carbon-fluorine bonds, which are exceptionally strong and stable. As a result, PFOA and PFOS are thermally, chemically, and biologically stable. They resist degradation due to light, water, and biological processes.

251. Bioaccumulation occurs when an organism absorbs a substance at a rate faster than the rate at which the substance is lost by metabolism and excretion. Biomagnification occurs when

the concentration of a substance in the tissues of organisms increases as the substance travels up the food chain.

252. PFOA and PFOS bioaccumulate/biomagnify in numerous ways. First, they are relatively stable once ingested, so that they bioaccumulate in individual organisms for significant periods of time. Because of this stability, any newly ingested PFOA and PFOS will be added to any PFOA and PFOS already present. In humans, PFOA and PFOS remain in the body for years.

253. PFOA and PFOS biomagnify up the food chain. This occurs, for example, when humans eat fish that have ingested PFOA and/or PFOS.

254. The chemical structure of PFOA and PFOS makes them resistant to breakdown or environmental degradation. As a result, they are persistent when released into the environment.

255. Exposure to PFAS is toxic and poses serious health risks to humans and animals.

256. PFAS are readily absorbed after consumption or inhalation and accumulate primarily in the bloodstream, kidney, and liver.

B. Defendants' Manufacture and Sale of AFFF/Component Products

257. AFFF is a type of water-based foam that was first developed in the 1960s to extinguish hydrocarbon fuel-based fires.

258. AFFF is a Class-B firefighting foam. It is mixed with water and used to extinguish fires that are difficult to fight, particularly those that involve petroleum or other flammable liquids.

259. AFFF is synthetically formed by combining fluorine-free hydrocarbon foaming agents with fluorosurfactants. When mixed with water, the resulting solution produces an aqueous film that spreads across the surface of hydrocarbon fuel. This film provides fire extinguishment and is the source of the designation aqueous film-forming foam.

260. Beginning in the 1960s, the AFFF Defendants designed, manufactured, marketed, distributed, and/or sold AFFF products that used fluorosurfactants containing either PFOS, PFOA, or the chemical precursors that degrade into PFOS and PFOA.

261. AFFF can be made without the fluorosurfactants that contain PFOA, PFOS, and/or their precursor chemicals. Fluorine-free firefighting foams, for instance, do not release PFOA, PFOS, and/or their precursor chemicals into the environment.

262. AFFF that contains fluorosurfactants, however, is better at extinguishing hydrocarbon fuel-based fires due to their surface-tension lowering properties, essentially smothering the fire and starving it of oxygen.

263. The fluorosurfactants used in 3M's AFFF products were manufactured by 3M's patented process of electrochemical fluorination ("ECF").

264. The fluorosurfactants used in other AFFF products sold by the AFFF Defendants were manufactured by the Fluorosurfactant Defendants through the process of telomerization.

265. The PFCs the Fluorosurfactant Defendants needed to manufacture those fluorosurfactants contained PFOS, PFOA, and/or their chemical precursors and were designed, manufactured, marketed, distributed and/or sold by the PFC Defendants.

266. On information and belief, the PFC and Fluorosurfactant Defendants were aware that the PFCs and fluorosurfactants they designed, manufactured, marketed, distributed, and/or sold would be used in the AFFF products designed, manufactured, marketed, distributed, and/or sold by the AFFF Defendants.

267. On information and belief, the PFC and Fluorosurfactant Defendants designed, manufactured, marketed, distributed, and/or sold the PFC and/or fluorosurfactants contained in the AFFF products discharged into the environment at sites where Plaintiffs worked, served and/or trained during fire protection, training, and response activities, resulting in widespread PFAS contamination.

268. On information and belief, the AFFF Defendants designed, manufactured, marketed, distributed, and/or sold the AFFF products discharged into the environment at locations where Plaintiffs worked, served and/or trained during fire protection, training, and response activities, resulting in widespread PFAS contamination.

C. Defendants' Knowledge of the Threats to Public Health and the Environment Posed by PFOS and PFOA

269. On information and belief, by at least the 1970s 3M and DuPont knew or should have known that PFOA and PFOS are mobile and persistent, bioaccumulative and biomagnifying, and toxic.

270. On information and belief, 3M and DuPont concealed from the public and government agencies its knowledge of the threats to public health and the environment posed by PFOA and PFOS.

271. Some or all of the Defendants understood how stable the fluorinated surfactants used in AFFF are when released into the environment from their first sale to a customer, yet they failed to warn their customers or provide reasonable instruction on how to manage wastes generated from their products.

1. 1940s and 1950s: Early Warnings About the Persistence of AFFF

272. In 1947, 3M started its fluorochemical program, and within four years, it began selling its PFOA to DuPont. The persistence and contaminating nature of the fluorosurfactants contained in AFFF products were understood prior to their commercial application at 3M's Cottage Grove facility in Minnesota.

273. The inventor of 3M's ECF process was J.H. Simons. Simons' 1948 patent for the ECF process reported that PFCs are "non-corrosive, and of little chemical reactivity," and "do not react with any of the metals at ordinary temperatures and react only with the more chemically reactive metals such as sodium, at elevated temperatures."[1]

274. Simons further reported that fluorosurfactants produced by the ECF process do not react with other compounds or reagents due to the blanket of fluorine atoms surrounding the carbon skeleton of the molecule. 3M understood that the stability of the carbon-to-fluorine bonds prevented its fluorosurfactants from undergoing further chemical reactions or degrading under natural processes in the environment.[2]

275. The thermal stability of 3M's fluorosurfactants was also understood prior to commercial production. Simons' patent application further discloses that the fluorosurfactants produced by the ECF process were thermally stable at temperatures up to 750° C (1382° F).

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[1] Simons, J. H., Fluorination of Organic Compounds, U.S. Patent No. 2,447,717. August 24, 1948, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1005.pdf.

[2] Simons, J. H., 1950. Fluorocarbons and Their Production. Fluorine Chemistry, 1(12): 401-422, *available* at https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX3008.pdf.

Additional research by 3M expanded the understanding of the thermal stability of perfluorocarbon compounds.[3]

276. Nowhere in any Material Safety Data Sheet for any of Defendants' AFFF/Component Products is information on the thermal stability of those products disclosed. Failure to disclose knowledge of the stability of the PFCs and fluorosurfactants used in AFFF products to customers is a failure to warn just how indestructible the AFFF's ingredients are when released to unprotected water sources and even treatment plants.

2. 1960s: AFFF's Environmental Hazards Come Into Focus

277. By at least the end of the 1960s, additional research and testing performed by 3M and DuPont indicated that fluorosurfactants, including at least PFOA, because of their unique chemical structure, were resistant to environmental degradation and would persist in the environment essentially unaltered if allowed to enter the environment.

278. One 3M employee wrote in 1964: "This chemical stability also extends itself to all types of biological processes; there are no known biological organisms that are able to attack the carbon-fluorine bond in a fluorocarbon."[4] Thus, 3M knew by the mid-1960s that its surfactants were immune to chemical and biological degradation in soils and groundwater.

279. 3M also knew by 1964 that when dissolved, fluorocarbon carboxylic acids and fluorocarbon sulfonic acids dissociated to form highly stable perfluorocarboxylate and perfluorosulfonate ions. Later studies by 3M on the adsorption and mobility of FC-95 and FC-143 (the ammonium salt of PFOA) in soils indicated very high solubility and very high mobility in soils for both compounds.[5]

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[3] Bryce, T. J., 1950. Fluorocarbons - Their Properties and Wartime Development. Fluorine Chemistry, 1(13): 423-462.

[4] Bryce, H.G., Industrial and Utilitarian Aspects of Fluorine Chemistry (1964), *available* at https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX3022.pdf.

[5] Technical Report Summary re: Adsorption of FC 95 and FC143 on Soil, Feb. 27, 1978, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1158.pdf.

3. 1970s: Internal Studies Provide Evidence of Environmental and Health Risks

280. By 1950, 3M knew that the fluorosurfactants used in its AFFF product(s) would not degrade when released to the environment, but would remain intact and persist. Two decades later—and after the establishment of a robust market of AFFFs using fluorosurfactants—3M finally got around to looking at the environmental risks that fluorosurfactants posed.

281. An internal memo from 3M in 1971 states that "the thesis that there is 'no natural sink' for fluorocarbons obviously demands some attention."[6] Hence, 3M understood at the very least that the fluorosurfactant used in its AFFF products would, in essence, never degrade once it was released into the environment.

282. By the mid-1970s, 3M and Ansul (and possibly other Defendants) had an intimate understanding of the persistent nature of PFCs. A 1976 study, for example, observed no biodegradation of FC-95, the potassium salt of PFOS; a result 3M characterized as "unsurprising" in light of the fact that "[b]iodegradation of FC 95 is improbable because it is completely fluorinated."[7]

283. In 1977, Ansul authored a report titled "Environmentally Improved AFFF," which acknowledged that releasing AFFF into the environment could pose potential negative impacts to groundwater quality.[8] Ansul wrote: "The purpose of this work is to explore the development of experimental AFFF formulations that would exhibit reduced impact on the environment while retaining certain fire suppression characteristic . . . improvements [to AFFF formulations] are desired in the environmental area, i.e., development of compositions that have a reduced impact on the environment without loss of fire suppression effectiveness." Thus, Ansul knew by the mid-1970s that the environmental impact of AFFF needed to be reduced, yet there is no evidence that Ansul (or any other Defendant) ever pursued initiatives to do so.

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[6] Memorandum from H.G. Bryce to R.M. Adams re : Ecological Aspects of Fluorocarbons, Sept. 13, 1971, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1088.pdf.

[7] Technical Report Summary, August 12, 1976 [3MA01252037].

[8] Ansul Co., Final Report: Environmentally Improved AFFF, N00173-76-C-0295, Marinette, WI, Dec. 13, 1977, *available at* https://apps.dtic.mil/dtic/tr/fulltext/u2/a050508.pdf.

284. A 1978 3M biodegradation study likewise reported that an "extensive study strongly suggest[ed]" one of its PFCs is "likely to persist in the environment for extended period unaltered by metabolic attack."[9] A year later, a 3M study reported that one of its fluorosurfactants "was found to be completely resistant to biological test conditions," and that it appeared waterways were the fluorosurfactant's "environmental sink."[10]

285. In 1979, 3M also completed a comprehensive biodegradation and toxicity study covering investigations between 1975 and 1978.[11] More than a decade after 3M began selling AFFF containing fluorosurfactants it wrote: "there has been a general lack of knowledge relative to the environmental impact of these chemicals." The report ominously asked, "If these materials are not biodegradable, what is their fate in the environment?"

286. During the 1970s, 3M also learned that the fluorosurfactants used in AFFF accumulated in the human body and were "even more toxic" than previously believed.

287. In 1975, 3M learns that PFAS was present in the blood of the general population.[12] Since PFOA and PFOS are not naturally occurring, this finding should have alerted 3M to the possibility that their products were a source of this PFOS. The finding also should have alerted 3M to the possibility that PFOS might be mobile, persistent, bioaccumulative, and biomagnifying, as those characteristics could explain how PFOS from 3M's products ended up in human blood.

288. In 1976, 3M found PFAS in the blood of its workers at levels "up to 1000 times 'normal' amounts of organically bound fluorine in their blood."[13] This finding should have alerted 3M to the same issues raised by the prior year's findings.

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[9] Technical Report Summary re : Fate of Fluorochemicals in the Environment, Biodegradation Studies of Fluorocarbons - II, Jan. 1, 1978, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1153.pdf.

[10] Technical Report Summary re : Fate of Fluorochemicals in the Environment, Biodegradation Studies of Fluorocarbons - III, July 19, 1978, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1179.pdf.

[11] Technical Report Summary, Final Comprehensive Report on FM 3422, Feb. 2, 1979, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX2563.pdf.

[12] Memorandum from G.H. Crawford to L.C. Krogh et al. re: Fluorocarbons in Human Blood Plasma, Aug. 20, 1975, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1118.pdf.

[13] 3M Chronology – Fluorochemicals in Blood, Aug. 26, 1977, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1144.pdf.

289. Studies by 3M in 1978 showed that PFOA reduced the survival rate of fathead minnow fish eggs,[14] that PFOS was toxic to monkeys,[15] and that PFOS and PFOA were toxic to rats.[16] In the study involving monkeys and PFOS, all of the monkeys died within days of ingesting food contaminated with PFOS.

290. In 1979, 3M and DuPont discussed 3M's discovery of PFOA in the blood of its workers and came to the same conclusion that there was "no reason" to notify the EPA of the finding.[17]

4. 1980s and 1990s: Evidence of AFFF's Health Risks Continues to Mount

291. By at least the end of the 1980s, additional research and testing performed by Defendants, including at least 3M and DuPont, indicated that elevated incidence of certain cancers and other adverse health effects, including elevated liver enzymes and birth defects, had been observed among workers exposed to such materials, including at least PFOA, but such data was not published, provided to governmental entities as required by law, or otherwise publicly disclosed at the time.

292. In 1981, DuPont tested for and found PFOA in the blood of female plant workers Parkersburg, West Virginia. DuPont observed and documented pregnancy outcomes in exposed workers, finding two of seven children born to female plant workers between 1979 and 1981 had birth defects—one an "unconfirmed" eye and tear duct defect, and one a nostril and eye defect.[18]

293. In 1983, 3M researchers concluded that concerns about PFAS "give rise to concern for environmental safety," including "legitimate questions about the persistence, accumulation potential,

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[14] The Effects of Continuous Aqueous Exposure to 78.03 on Hatchability of Eggs and Growth and Survival of Fry of Fathead Minnow, June 1978, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1176.pdf.

[15] Ninety-Day Subacute Rhesus Monkey Toxicity Study, Dec. 18, 1978, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1191.pdf; Aborted FC95 Monkey Study, Jan. 2, 1979, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1193.pdf.

[16] Acute Oral Toxicity (LD_{50}) Study in Rats (FC-143), May 5, 1978, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1170.pdf; FC-95, FC-143 and FM-3422 – 90 Day Subacute Toxicity Studies Conducted at IRDC – Review of Final Reports and Summary, Mar. 20, 1979, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1199.pdf.

[17] Memorandum from R.A. Prokop to J.D. Lazerte re: Disclosure of Information on Levels of Fluorochemicals in Blood, July 26, 1979, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX2723.pdf.

[18] C-8 Blood Sampling Results, *available at* http://tiny.cc/v8z1mz.

and ecotoxicity of fluorochemicals in the environment."[19] That same year, 3M completed a study finding that PFOS caused the growth of cancerous tumors in rats.[20] This finding was later shared with DuPont and led them to consider whether "they may be obliged under their policy to call FC-143 a carcinogen in animals."[21]

294. In 1984, 3M documented a trend of increasing levels of PFOS in the bodies of 3M workers, leading one of the company's medical officers to warn in an internal memo: "we must view this present trend with serious concern. It is certainly possible that . . . exposure opportunities are providing a potential uptake of fluorochemicals that exceeds excretion capabilities of the body."[22]

295. A 1997 material safety data sheet ("MSDS") for a non-AFFF product made by 3M listed its only ingredients as water, PFOA, and other perfluoroalkyl substances and warned that the product includes "a chemical which can cause cancer." The MSDS cited "1983 and 1993 studies conducted jointly by 3M and DuPont" as support for this statement. On information and belief, the MSDS for 3M's AFFF products did not provide similar warnings or information.

5. Defendants Hid What They Knew from the Government and the Public.

296. Federal law requires chemical manufacturers and distributors to immediately notify the EPA if they have information that "reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment." Toxic Substances Control Act ("TSCA") § 8(e), 15 U.S.C. § 2607(e).

297. In April 2006, 3M agreed to pay EPA a penalty of more than $1.5 million after being cited for 244 violations of the TSCA, which included violations for failing to disclose studies regarding PFOS, PFOA, and other PFCs dating back decades.

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[19] 3M Environmental Laboratory (EE & PC), Fate of Fluorochemicals - Phase II, May 20, 1983, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1284.pdf.

[20] Two Year Oral (Diet) Toxicity/Carcinogenicity Study of Fluorochemical FC-143 in Rats, Volume 1 of 4, Aug. 29, 1987, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1337.pdf.

[21] Memorandum from R.G. Perkins to F.D. Griffith re: Summary of the Review of the FC-143 Two-Year Feeder Study Report to be presented at the January 7, 1988 meeting with DuPont, January 5, 1988, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1343.pdf.

[22] Memorandum from D.E. Roach to P.F. Riehle re: Organic Fluorine Levels, Aug. 31, 1984, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1313.pdf.

298. Likewise, in December 2005, the EPA announced it was imposing the "Largest Environmental Administrative Penalty in Agency History" against DuPont based on evidence that it violated the TSCA by concealing the environmental and health effects of PFOA.

299. On information and belief, Defendants knew or should have known that AFFF containing PFOA or PFOS would very likely injure and/or threaten public health and the environment, even when used as intended or directed.

300. Defendants failed to warn of these risks to the environment and public health, including the impact of their AFFF/Component Products on the quality of unprotected water sources.

301. Defendants were all sophisticated and knowledgeable in the art and science of designing, formulating, and manufacturing AFFF/Component Products. They understood far more about the properties of their AFFF/Component Products—including the potential hazards they posed to human health and the environment—than any of their customers. Still, Defendants declined to use their sophistication and knowledge to design safer products.

D. The Impact of PFOS and PFOA on the Environment and Human Health Is Finally Revealed

302. As discussed above, neither 3M, DuPont, nor, on information and belief, any other Defendant complied with their obligations to notify EPA about the "substantial risk of injury to health or the environment" posed by their AFFF/Component Products. *See* TSCA § 8(e).

303. Despite decades of research, 3M first shared its concerns with EPA in the late 1990s. In a May 1998 report submitted to EPA, "3M chose to report simply that PFOS had been found in the blood of animals, which is true but omits the most significant information," according to a former 3M employee.[23]

304. On information and belief, 3M began in 2000 to phase out its production of products that contained PFOS and PFOA in response to pressure from the EPA.

305. Once the truth about PFOS and PFOA was revealed, researchers began to study the environmental and health effects associated with them, including a "C8 Science Panel" formed out

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[23] Letter from R. Purdy, Mar. 28, 1999, *available at* https://www.ag.state.mn.us/Office/Cases/3M/docs/PTX/PTX1001.pdf.

of a class action settlement arising from contamination from DuPont's Washington Works located in Wood County, West Virginia.

306. The C8 panel consisted of three epidemiologists specifically tasked with determining whether there was a probable link between PFOA exposure and human diseases. In 2012, the panel found probable links between PFOA and kidney cancer, testicular cancer, ulcerative colitis, thyroid disease, pregnancy-induced hypertension (including preeclampsia), and hypercholesterolemia.

307. Human health effects associated with PFOS exposure include immune system effects, changes in liver enzymes and thyroid hormones, low birth weight, high uric acid, and high cholesterol. In laboratory testing on animals, PFOA and PFOS have caused the growth of tumors, changed hormone levels, and affected the function of the liver, thyroid, pancreas, and immune system.

308. The injuries caused by PFAS can arise months or years after exposure.

309. Even after the C8 Science Panel publicly announced that human exposure to 50 parts per trillion, or more, of PFOA in drinking water for one year or longer had "probable links" with certain human diseases, including kidney cancer, testicular cancer, ulcerative colitis, thyroid disease, preeclampsia, and medically-diagnosed high cholesterol, Defendants repeatedly assured and represented to governmental entities, their customers, and the public (and continue to do so) that the presence of PFOA in human blood at the levels found within the United States presents no risk of harm and is of no legal, toxicological, or medical significance of any kind.

310. Furthermore, Defendants have represented to and assured such governmental entities, their customers, and the public (and continue to do so) that the work of the independent C8 Science Panel was inadequate to satisfy the standards of Defendants to prove such adverse effects upon and/or any risk to humans with respect to PFOA in human blood.

311. At all relevant times, Defendants, through their acts and/or omissions, controlled, minimized, trivialized, manipulated, and/or otherwise influenced the information that was published in peer-review journals, released by any governmental entity, and/or otherwise made available to the public relating to PFAS in human blood and any alleged adverse impacts and/or risks associated

therewith, effectively preventing the public from discovering the existence and extent of any injuries/harm as alleged herein.

312. On May 2, 2012, the EPA published its Third Unregulated Contaminant Monitoring Rule ("UCMR3"), requiring public water systems nationwide to monitor for thirty contaminants of concern between 2013 and 2015, including PFOS and PFOA.[24]

313. In the May 2015 "Madrid Statement on Poly- and Perfluoroalkyl Substances (PFAS's)," scientists and other professionals from a variety of disciplines, concerned about the production and release into the environment of PFOA, called for greater regulation, restrictions, limits on the manufacture and handling of any PFOA containing product, and to develop safe non-fluorinated alternatives to these products to avoid long-term harm to human health and the environment.[25]

314. On May 25, 2016, the EPA released a lifetime health advisory (HAs) and health effects support documents for PFOS and PFOA.[26] *See* Fed. Register, Vol. 81, No. 101, May 25, 2016. The EPA developed the HAs to assist governmental officials in protecting public health when PFOS and PFOA are present in drinking water. The EPA HAs identified the concentration of PFOS and PFOA in drinking water at or below which adverse health effects are not anticipated to occur over a lifetime of exposure at 0.07 ppb or 70 ppt. The HAs were based on peer-reviewed studies of the effects of PFOS and PFOA on laboratory animals (rats and mice) and were also informed by epidemiological studies of human populations exposed to PFOS. These studies indicate that exposure to PFOS and PFOA over these levels may result in adverse health effects, including:

a. Developmental effects to fetuses during pregnancy or to breastfed infants (e.g., low birth weight, accelerated puberty, skeletal variations);

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[24] *Revisions to the Unregulated Contaminant Monitoring Regulation (UCMR 3) for Public Water Systems*, 77 Fed. Reg: 26072 (May 2, 2012).

[25] Blum A, Balan SA, Scheringer M, Trier X, Goldenman G, Cousins IT, Diamond M, Fletcher T, Higgins C, Lindeman AE, Peaslee G, de Voogt P, Wang Z, Weber R. 2015. The Madrid statement on poly- and perfluoroalkyl substances (PFASs). Environ Health Perspect 123:A107–A111; http://dx.doi.org/10.1289/ehp.1509934.

[26] *See* Fed. Register, Vol. 81, No. 101, May 25, 2016, Lifetime Health Advisories and Health Effects Support Documents for Perfluorooctanoic Acid and Perfluorooctane Sulfonate.

b. Cancer (testicular and kidney);

c. Liver effects (tissue damage);

d. Immune effects (e.g., antibody production and immunity);

e. Thyroid disease and other effects (e.g., cholesterol changes).

315. In addition, PFOS and PFOA are hazardous materials because they pose a "present or potential threat to human health."[27]

316. In 2016, the National Toxicology Program of the United States Department of Health and Human Services ("NTP") and the International Agency for Research on Cancer ("IARC") both released extensive analyses of the expanding body of research regarding the adverse effects of PFCs. The NTP concluded that both PFOA and PFOS are "presumed to be an immune hazard to humans" based on a "consistent pattern of findings" of adverse immune effects in human (epidemiology) studies and "high confidence" that PFOA and PFOS exposure was associated with suppression of immune responses in animal (toxicology) studies.[28]

317. IARC similarly concluded that there is "evidence" of "the carcinogenicity of . . . PFOA" in humans and in experimental animals, meaning that "[a] positive association has been observed between exposure to the agent and cancer for which a causal interpretation is . . . credible."[29]

318. California has listed PFOA and PFOS to its Proposition 65 list as a chemical known to cause reproductive toxicity under the Safe Drinking Water and Toxic Enforcement Act of 1986.[30]

319. The United States Senate and House of Representatives passed the National Defense Authorization Act in November 2017, which included $42 Million to remediate PFC contamination

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[27] *Id.*; *see also National Ass'n for Surface Finishing v. EPA*, 795 F.3d 1, 3, 6 (D.C. Cir. 2015) (referring to PFOS as a "toxic compound" and a "hazardous chemical.").

[28] *See* U.S. Dep't of Health and Human Services, Nat'l Toxicology Program, *NTP Monograph: Immunotoxicity Associated with Exposure to Perfluorooctanoic Acid or Perfluorooctane Sulfonate* (Sept. 2016), at 1, 17, 19, *available at* https://ntp.niehs.nih.gov/ntp/ohat/pfoa_pfos/pfoa_pfosmonograph_508.pdf

[29] *See* Int'l Agency for Research on Cancer, IARC Monographs: *Some Chemicals Used as Solvents and in Polymer Manufacture* (Dec. 2016), at 27, 97, *available at* http://monographs.iarc.fr/ENG/Monographs/vol110/mono110.pdf.

[30] California Office of Environmental Health Hazard Assessment, *Chemicals Listed Effective Nov. 10, 2017 as Known to the State of California to Cause Reproductive Toxicity: Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS)*, Nov. 9, 2017, *available at* https://oehha.ca.gov/proposition-65/crnr/chemicals-listed-effective-november-10-2017-known-state-california-cause.

from military bases, as well as devoting $7 Million toward the Investing in Testing Act, which authorizes the Center for Disease Control and Prevention ("CDC") to conduct a study into the long-term health effects of PFOA and PFOS exposure.[31] The legislation also required that the Department of Defense submit a report on the status of developing a new military specification for AFFF that did not contain PFOS or PFOA.[32]

320. In June 2018, the Agency for Toxic Substances and Disease Registry ("ATSDR") and EPA released a draft toxicological profile for PFOS and PFOA and recommended the drinking water advisory levels be lowered to 11 ppt for PFOA and 7 ppt for PFOS.[33]

321. On February 20, 2020, the EPA announced a proposed decision to regulate PFOA and PFOS under the Safe Drinking Water Act, which the agency characterized as a "key milestone" in its efforts to "help communities address per- and polyfluoroalkyl substances (PFAS) nationwide."[34] Following a public comment period on its proposed decision, the EPA will decide whether to move forward with the process of establishing a national primary drinking water regulation for PFOA and PFOS.

E. AFFF Containing PFOS and PFOA Is Fungible and Commingled in the Groundwater

322. AFFF containing PFOS and/or PFOA, once it has been released to the environment, lacks characteristics that would enable identification of the company that manufactured that particular batch of AFFF or chemical feedstock.

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[31] National Defense Authorization Act for Fiscal Year 2018, H.R. 2810, 115th Congress (2017), *available at* https://www.congress.gov/115/plaws/publ91/PLAW-115publ91.pdf.

[32] *Id.*; *see also* U.S. Department of Defense, *Alternatives to Aqueous Film Forming Foam Report to Congress*, June 2018, *available at* https://www.denix.osd.mil/derp/home/documents/alternatives-to-aqueous-film-forming-foam-report-to-congress/.

[33] ATSDR, *Toxicological Profile for Perfluoroalkyls: Draft for Public Comment* (June 2018), *available at* https://www.atsdr.cdc.gov/toxprofiles/tp200.pdf.

[34] Press Release, *EPA Announces Proposed Decision to Regulate PFOA and PFOS in Drinking Water*, Feb. 20, 2020, *available at* https://www.epa.gov/newsreleases/epa-announces-proposed-decision-regulate-pfoa-and-pfos-drinking-water.

323. A subsurface plume, even if it comes from a single location, such as a retention pond or fire training area, originates from mixed batches of AFFF and chemical feedstock coming from different manufacturers.

324. Because precise identification of the specific manufacturer of any given AFFF/Component Product that was a source of PFAS exposure for Plaintiffs is nearly impossible, given certain exceptions, Plaintiffs must pursue all Defendants, jointly and severally

325. Defendants are also jointly and severally liable because they conspired to conceal the true toxic nature of PFOS and PFOA, to profit from the use of AFFF/Component Products containing PFOS and PFOA, at Plaintiffs' expense, and to attempt to avoid liability.

326. Defendants in this action are manufacturers that control a substantial share of the market for AFFF/Component Products containing PFOS, PFOA, and/or their chemical precursors in the United States and are jointly responsible for Plaintiffs' harm. Market share liability attaches to all Defendants and the liability of each should be assigned according to its percentage of the market for AFFF/Component Products at issue in this Complaint.

327. Because PFAS is fungible, it is impossible to identify the exact Defendant who manufactured any given AFFF/Component Product containing PFOS and PFOA, and each of these Defendants participated in a territory-wide and U.S. national market for AFFF/Component Products during the relevant time.

328. Concert of action liability attaches to all Defendants, each of which participated in a common plan to commit the torts alleged herein and each of which acted tortuously in pursuance of the common plan to knowingly manufacture and sell inherently dangerous AFFF/Component Products containing PFOS, PFOA, and/or their chemical precursors.

329. Enterprise liability attaches to all the named Defendants for casting defective products into the stream of commerce.

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CAUSES OF ACTION

COUNT 1:

NEGLIGENCE

330. Plaintiffs reallege and incorporate the allegations in the foregoing paragraphs above and allege the following:

331. As manufacturers, marketers and sellers of AFFF/Component Products containing PFOS, PFOA, and/or their chemical precursors, Defendants owed a duty to all persons whom its products might foreseeably harm, including Plaintiffs, and not to market any product which is unreasonably dangerous in design for its reasonably anticipated use.

332. Defendants owed a duty to Plaintiffs to act reasonably and not place inherently dangerous AFFF/Component Products into the marketplace when its release of PFAS into air, soil and water was imminent and certain.

333. Defendants' AFFF/Component Products were unreasonably dangerous for its reasonably anticipated use because exposure to increased levels of PFAS poses a significant health threat to human health.

334. Defendants knew of these risks and failed to use reasonable care in the design of their AFFF/Component Products. Defendants knew or should have known that PFAS were leaching from AFFF used for fire protection, training and response activities.

335. Defendants knew or should have known that the manner in which they were manufacturing, marketing and selling their AFFF/Component Products would result in Plaintiffs being exposed to increased levels of PFAS.

336. Despite knowing that PFAS are toxic, can contaminate water resources and are carcinogenic, Defendants negligently:

a. Designed, manufactured, formulated, handled, labeled, instructed, controlled, marketed, promoted, and/or sold AFFF/Component Products containing PFOS, PFOA, and/or their chemical precursors;

b. Provided deficient instructions on how their AFFF/Component Products should be used and disposed of, thereby permitting Plaintiffs to be exposed to increased levels of PFAS;

c. Failed to recall and/or warn Plaintiffs of the dangers of their AFFF/Component Products as a result of standard use and disposal of their products; and

d. Failed to take reasonable, adequate, and sufficient steps or actions to eliminate, correct, or remedy any contamination after it occurred.

337. The magnitude of the burden on the Defendants to guard against this foreseeable harm to Plaintiffs was minimal, as the practical consequences of placing this burden on the Defendants amounted to burden to provide adequate instructions, proper labeling, and sufficient warnings about their AFFF/Component Products.

338. As manufacturers, Defendants were in the best position to provide adequate instructions, proper labeling, and sufficient warnings about their AFFF/Component Products, and to take steps to eliminate, correct, or remedy any exposure or contamination they caused.

339. As a direct and proximate result of Defendants' negligence, Plaintiffs have suffered, and continue to suffer, injuries entitling them to damages and monitoring costs in an amount to be determined at trial.

340. Defendants knew that it was substantially certain that their acts and omissions described above would threaten the health of uses of their AFFF/Component Products like Plaintiffs. Defendants committed each of the above-described acts and omissions knowingly, willfully, and/or with fraud, oppression, or malice, and with conscious and/or reckless disregard for the health and safety of Plaintiffs.

COUNT 2:

PRODUCTS LIABILITY - FAILURE TO WARN

341. Plaintiffs reallege and incorporate the allegations in the foregoing paragraphs above and allege the following:

342. At all times material, the Defendants manufactured, designed, formulated, marketed, tested, promoted, supplied, sold, and/or distributed their AFFF/Component Products in the regular course of business.

343. As a manufacturer of AFFF/Component Products containing PFOS, PFOA, and/or their chemical precursors, Defendants had a duty to provide adequate warnings of the risks of these products to all persons whom its product might foreseeably harm, including Plaintiffs.

344. Defendants' AFFF/Component Products were unreasonably dangerous for their reasonably anticipated use because exposure to increased levels of PFAS poses a significant threat to human health.

345. Defendants knew of the health risks associated with their AFFF/Component Products and failed to provide a warning that would lead an ordinary, reasonable user or handler of a product to contemplate the danger to human health associated with those products.

346. Despite Defendants' knowledge of the human health hazards associated with the use and/or disposal of their AFFF/Component Products, Defendants failed to issue any warnings, instructions, recalls or advice regarding those products to Plaintiffs, governmental agencies or the public.

347. Plaintiffs have heeded legally adequate warnings and would not have used Defendants' AFFF/Component Products or would have taken steps to ensure such products were used and disposed of differently to prevent potential exposure and/or contamination.

348. As a direct and proximate result of Defendants' failure to warn, Plaintiffs have suffered and continue to suffer injuries entitled them to damages in an amount to be determined at trial.

349. Defendants knew it was substantially certain that their acts and omissions described above would threaten the health of users of their AFFF/Component Products like Plaintiffs. Defendants committed each of the above-entitled acts and omissions knowingly, willfully, and/or with fraud, oppression, or malice, and with conscious and/or reckless disregard for the health and safety of Plaintiffs.

COUNT 3

PRODUCTS LIABILITY - DEFECTIVE DESIGN

350. Plaintiffs reallege and incorporate the allegations in the foregoing paragraphs above and allege the following:

351. At all times material, the Defendants manufactured, designed, formulated, marketed, tested, promoted, supplied, sold and/or distributed their AFFF/Component Products in the regular course of business.

352. As manufacturers, Defendants owed a duty to all persons whom its products might foreseeably harm, including Plaintiffs, not to market any product that was unreasonably dangerous in design for its reasonably anticipated use.

353. Defendants knew their AFFF/Component Products were unreasonably dangerous for their reasonably anticipated use because exposure to increased levels of PFAS poses a significant threat to human health.

354. Defendants knew of these risks and failed to use reasonable care in the design of their AFFF/Component Products.

355. AFFF containing PFOS, PFOA, and/or their chemical precursors posses a greater danger to human health than would be expected by ordinary persons such as Plaintiffs.

356. At all times, Defendants were capable of making AFFF/Component Products that did contain PFOS, PFOA, and/or their chemical precursors. Thus, reasonable alternative designs existed which were capable of preventing Plaintiffs' injuries.

357. The risks posed by AFFF containing PFOS, PFOA, and/or their chemical precursors far outweigh the products' utility as a flame-control product.

358. The likelihood that Defendants' AFFF/Component Products would expose Plaintiffs to substantial health risks, as well as the gravity of those risks, far outweighed any burden on Defendants to adopt an alternative design and any corresponding adverse effect, if any, of such alternative design on the utility of the product.

359. As a direct and proximate result of Defendants' unreasonably dangerous design, manufacture, and sale of AFFF/Component Products containing PFOS, PFOA, and/or their chemical precursors, Plaintiffs have suffered, and continue to suffer, injuries entitling them to damages in an amount to be determined at trial.

360. Defendants knew that it was substantially certain that their acts and omissions described above would threaten the health of users of their AFFF/Component Products like Plaintiffs.

Defendants committed each of the above-described acts and omissions knowingly, willfully, and/or with fraud, oppression, or malice, and with conscious and/or reckless disregard for the health and safety of Plaintiffs.

COUNT 4

ACTUAL FRAUDULENT TRANSFER (DuPont and Chemours Co.)

361. Plaintiffs reallege and incorporate the allegations in the foregoing paragraphs above and allege the following:

362. Through their effectuation of the Spinoff, Chemours Co. and DuPont (the "Fraudulent Transfer Defendants") caused Chemours Co. to transfer valuable assets to DuPont, including but not limited to the $3.9 billion dividend (the "Transfers"), while simultaneously assuming significant liabilities (the "Assumed Liabilities").

363. The Transfers and Assumed Liabilities were made for the benefit of DuPont.

364. At the time that the Transfers were made and the Liabilities were assumed, and until the Spinoff was complete, DuPont was in a position to, and in fact did, control and dominate Chemours Co.

365. The Fraudulent Transfer Defendants made the Transfers and incurred the Assumed Liabilities with the actual intent to hinder, delay, and defraud the creditors or future creditors of Chemours Co.

366. Plaintiffs have been harmed as a result of the conduct of the Fraudulent Transfer Defendants.

367. Plaintiffs are entitled to avoid the Transfers and to recover property or value transferred to DuPont.

COUNT 5

CONSTRUCTIVE FRAUDULENT TRANSFER (DuPont and Chemours Co.)

368. Plaintiffs reallege and incorporate the allegations in the foregoing paragraphs above and allege the following:

369. Chemours Co. did not receive reasonably equivalent value from DuPont in exchange for the Transfers and Assumed Liabilities.

370. Each of the Transfers and the assumption of the Assumed Liabilities by Chemours Co. was made to or for the benefit of DuPont.

371. At the time that the Transfers were made and the Assumed Liabilities were assumed, and until the Spinoff was complete, DuPont was in a position to, and in fact did, control and dominate Chemours Co.

372. The Fraudulent Transfer Defendants made the Transfers and assumed the Assumed Liabilities when Chemours Co. was engaged or about to be engaged in a business for which its remaining assets were unreasonably small in relation to its business.

373. Chemours Co. was insolvent or in contemplation of insolvency at the time of the Transfers, or became insolvent as a result of the Transfers and its assumption of the Assumed Liabilities.

374. At the time that the Transfers were made and Chemours Co. assumed the Assumed Liabilities, the Fraudulent Transfer Defendants intended to incur, or believed or reasonably should have believed, that Chemours Co. would incur debts beyond its ability to pay as they became due.

375. Plaintiffs have been harmed as a result of the Transfers.

376. Plaintiffs are entitled to avoid the Transfers and to recover property or value transferred to DuPont.

COUNT 6

PUNITIVE DAMAGES

377. Plaintiffs reallege and incorporate the allegations in the foregoing paragraphs above and allege the following:

378. At all times relevant, Defendants manufactured, marketed and sold AFFF/Component Products used by Plaintiffs in the course of their employment.

379. Defendants knew that it was substantially certain that their acts and omissions described above would threaten the health of users of their AFFF/Component Products like Plaintiffs.

380. Defendants' negligent, reckless, willful, ad/or wanton actions and/or intentional failures to act caused Plaintiffs to be exposed to an unknown quantity of PFAS.

381. The willful, wanton, malicious and/or reckless conduct of Defendants, includes, but is not limited to:

a. Providing no warnings and failing to divulge material information concerning exposure to or release of PFAS, including, but not limited to PFOA and PFOS;

b. Knowing there was a high probability that use of their products would result in exposure to increased levels of PFAS;

c. Failing to take all reasonable measures to ensure their AFFF/Component Products containing PFOS, PFOA, and/or their chemical precursors would be safely and effectively used and/or disposed of; and

d. Failing to prevent the foreseeable impact of PFAS exposure on the health of Plaintiffs

382. As a result of Defendants' conduct, Plaintiffs have either developed or are at an increased risk of developing serious health conditions that include but are not limited to lymphoma, throat cancer, bladder cancer, thyroid cancer, kidney cancer, rectal cancer, colon cancer, prostate cancer, colorectal carcinoid tumor, leukemia, and testicular cancer.

383. Defendants have acted with implied malice and demonstrated an outrageous conscious disregard for the health and safety of Plaintiffs, warranting the imposition of punitive damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs demand judgment against Defendants, and each of them, jointly and severally, and request the following relief from the Court:

a. a declaration that Defendants acted with negligence, gross negligence, and/or willful, wanton, and careless disregard for the health, safety of Plaintiffs;

b. an award to Plaintiffs of general, compensatory, exemplary, consequential, nominal, and punitive damages;

c. an order for an award of attorney fees and costs, as provided by law;

d. pre-judgment and post-judgment interest as provided by law;

e. an order barring the transfer of DuPont's liabilities for the claims brought in this Complaint;

f. an award of punitive damages in an amount sufficient to deter Defendants' similar wrongful conduct in the future;

g. an award of consequential damages;

h. an award of pre-judgment and post-judgment interest as provided by law; and

i. an order for all such other relief the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiffs demand a trial by jury of all issues so triable as a matter of right.

Dated: February 23, 2022

BORDIN SEMMER LLP

By: [signature]

Joshua Bordin-Wosk
Benjamin A. Sampson
Attorney for Plaintiffs

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012	FILED Superior Court of California County of Los Angeles 02/23/2022 Sherri R. Carter, Executive Officer / Clerk of Court By: N. Miramontes Deputy
NOTICE OF CASE ASSIGNMENT UNLIMITED CIVIL CASE	
Your case is assigned for all purposes to the judicial officer indicated below.	CASE NUMBER: 22STCV06558

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

	ASSIGNED JUDGE	DEPT	ROOM		ASSIGNED JUDGE	DEPT	ROOM
✓	Jill Feeney	30					

Given to the Plaintiff/Cross-Complainant/Attorney of Record on 02/23/2022 (Date)

Sherri R. Carter, Executive Officer / Clerk of Court

By N. Miramontes, Deputy Clerk

INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

APPLICATION
The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

PRIORITY OVER OTHER RULES
The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

CHALLENGE TO ASSIGNED JUDGE
A challenge under Code of Civil Procedure Section 170.6 must be made within **15** days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

TIME STANDARDS
Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

COMPLAINTS
All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

CROSS-COMPLAINTS
Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

STATUS CONFERENCE
A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

FINAL STATUS CONFERENCE
The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

SANCTIONS
The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.

Class Actions
Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

***Provisionally Complex Cases**
Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.

FILED
Superior Court of California
County of Los Angeles

FEB 24 2020

Sherri R. Carter, Executive Officer/Clerk
By [signature] Deputy

2020-SJ-002-00

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

IN RE PERSONAL INJURY COURT ("PI COURT") PROCEDURES SPRING STREET COURTHOUSE (EFFECTIVE FEBRUARY 24, 2020)	) CASE NO.: 22STCV06558)) FIRST AMENDED STANDING ORDER) RE: PERSONAL INJURY PROCEDURES) AT THE SPRING STREET COURTHOUSE

ALL HEARINGS ARE SET IN THE DEPARTMENT AS REFLECTED IN THE NOTICE OF CASE ASSIGNMENT

FINAL STATUS CONFERENCE:

DATE: 08/09/2023 AT 10:00 A.M.

TRIAL:

DATE: 08/23/2023 AT 8:30 A.M.

OSC RE DISMISSAL (CODE CIV. PROC., § 583.210):

DATE: 02/19/2025 AT 8:30 A.M.

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:

Pursuant to the California Code of Civil Procedure ("C.C.P."), the California Rules of Court ("C.R.C.") and the Los Angeles County Court Rules ("Local Rules"), the Los Angeles Superior Court ("LASC" or "Court") HEREBY AMENDS AND SUPERSEDES THE SEPTEMBER 26, 2019 STANDING ORDER AND, GENERALLY ORDERS AS FOLLOWS IN THIS AND ALL OTHER GENERAL JURISDICTION PERSONAL INJURY ("PI") ACTIONS FILED IN THE CENTRAL DISTRICT.

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1. To ensure proper assignment to a PI Court, plaintiff(s) must carefully fill out the Civil Case Cover Sheet Addendum (form LACIV 109). The Court defines "personal injury" as: "an unlimited civil case described on the Civil Case Cover Sheet Addendum and Statement of Location (LACIV 109) as Motor Vehicle-Personal Injury/Property Damage/Wrongful Death; Personal Injury/Property Damage/Wrongful Death-Uninsured Motorist; Product Liability (other than asbestos or toxic/environmental); Medical Malpractice-Physicians & Surgeons; Other Professional Health Care Malpractice; Premises Liability; Intentional Bodily Injury/Property Damage/Wrongful Death; or Other Personal Injury/Property Damage/Wrongful Death. An action for intentional infliction of emotional distress, defamation, civil rights/discrimination, or malpractice (other than medical malpractice), is not included in this definition. An action for injury to real property is not included in this definition" (Local Rule 2.3(a)(1) (A)).

Consistent with Local Rule 2.3(a)(1)(A), the Court will assign a case to the PI Courts if plaintiff(s) checks any of the following boxes in the Civil Case Cover Sheet Addendum:

- ☐ A7100 Motor Vehicle – Personal Injury/Property Damage/Wrongful Death
- ☐ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist
- ☐ A7260 Product Liability (not asbestos or toxic/environmental)
- ☐ A7210 Medical Malpractice – Physicians & Surgeons
- ☐ A7240 Medical Malpractice – Other Professional Health Care Malpractice
- ☐ A7250 Premises Liability (e.g., slip and fall)
- ☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism etc.)
- ☐ A7220 Other Personal Injury/Property Damage/Wrongful Death

The Court will not assign cases to the PI Courts if plaintiff(s) checks any boxes elsewhere in the Civil Case Cover Sheet Addendum (any boxes on pages two and three of that form).

The Court sets the above dates in this action in the PI Court as reflected in the Notice of Case Assignment at the Spring Street Courthouse, 312 North Spring Street, Los Angeles, CA

90012 (C.R.C. Rules 3.714(b)(3), 3.729).

FILING OF DOCUMENTS

2. With the exception of self-represented litigants or parties or attorneys that have obtained an exemption from mandatory electronic filing, parties must electronically file documents. Filings are no longer accepted via facsimile. The requirements for electronic filing are detailed in the Court's operative General Order Re Mandatory Electronic Filing for Civil, available online at www.lacourt.org (link on homepage).

SERVICE OF SUMMONS AND COMPLAINT

3. Plaintiff(s) shall serve the summons and complaint in this action upon defendant(s) as soon as possible but no later than three years from the date when the complaint is filed (C.C.P. § 583.210, subd. (a)). On the OSC re Dismissal date noted above, the PI Court will dismiss the action and/or all unserved parties unless the plaintiff(s) shows cause why the action or the unserved parties should not be dismissed (C.C.P. §§ 583.250; 581, subd. (b)(4)).

4. The Court sets the above trial and final status conference ("FSC") dates on the condition that plaintiff(s) effectuate service on defendant(s) of the summons and complaint within six months of filing the complaint.

5. The PI Court will dismiss the case without prejudice pursuant to Code of Civil Procedure § 581 when no party appears for trial.

STIPULATIONS TO CONTINUE TRIAL

6. Provided that all parties agree (and there is no violation of the "five-year rule" (C.C.P. § 583.310)), the parties may advance or continue any trial date in the PI Courts without showing good cause or articulating any reason or justification for the change. To continue or advance a trial date, the parties (or their counsel of record) should jointly execute and submit a Stipulation to Continue Trial, FSC and Related Motion/Discovery Dates (form LACIV CTRL-242, available on the court's website, Personal Injury Court link). The PI Courts schedule FSCs at 10:00 a.m., eight court days before the trial date. Parties seeking to continue the trial and FSC dates shall file the stipulation at least eight court days before the FSC date. Parties seeking to advance the trial and FSC dates shall file the stipulation at least eight court days before the proposed advanced

FSC date (C.C.P. § 595.2; Govt. Code § 70617, subd. (c)(2)). In selecting a new trial date, parties should avoid setting on any Monday, or the Tuesday following a court holiday. Parties may submit a maximum of two stipulations to continue trial, for a total continuance of six months. Subsequent requests to continue trial will be granted upon a showing of good cause by noticed motion. This rule is retroactive so that any previously granted stipulation to continue trial will count toward the maximum number of allowed continuances.

NO CASE MANAGEMENT CONFERENCES

7. The PI Courts do not conduct case management conferences. The parties need not file a Case Management Statement.

LAW AND MOTION

8. Any and all electronically-filed documents must be text searchable and bookmarked. (*See* operative General Order re Mandatory Electronic Filing in Civil).

COURTESY COPIES REQUIRED

9. Pursuant to the operative General Order re Mandatory Electronic Filing, courtesy copies of certain documents must be submitted directly to the PI Court courtrooms at the Spring Street Courthouse. The PI Courts also strongly encourage the parties filing and opposing lengthy motions, such as motions for summary judgment/adjudication, to submit one or more three-ring binders organizing the courtesy copy behind tabs. Any courtesy copies of documents with declarations and/or exhibits must be tabbed (C.R.C. Rule 3.1110(f)). All deposition excerpts referenced in briefs must be marked on the transcripts attached as exhibits (C.R.C. Rule 3.1116(c)).

RESERVATION HEARING DATE

10. Parties must reserve hearing dates for motions in the PI Courts using the Court Reservation System (CRS) available online at *www.lacourt.org* (link on homepage). After reserving a motion hearing date, the reservation requestor must submit the papers for filing with the reservation receipt number printed on the face page of the document under the caption and attach the reservation receipt as the last page. Parties or counsel who are unable to utilize the online CRS may reserve a motion hearing date by calling the PI courtroom, Monday through

Friday, between 3:00 p.m. and 4:00 p.m.

WITHDRAWAL OF MOTIONS

11. California Rules of Court, Rule 3.1304(b) requires a moving party to notify the court immediately if a matter will not be heard on the scheduled date. In keeping with that rule, the PI Courts require parties to comply with Code of Civil Procedure section 472(a) with regard to the amending of pleadings related to demurrers or motions to strike so that the PI Courts do not needlessly prepare tentative rulings for these matters.

DISCOVERY MOTIONS

12. The purpose of an Informal Discovery Conference ("IDC") is to assist the parties to resolve and/or narrow the scope of discovery disputes. Lead trial counsel on each side, or another attorney with full authority to make binding agreements, must attend in person. The PI judges have found that, in nearly every case, the parties amicably resolve disputes with the assistance of the Court.

13. Parties **must** participate in an IDC **before** a Motion to Compel Further Responses to Discovery will be heard unless the moving party submits evidence, by way of declaration, that the opposing party has failed or refused to participate in an IDC. Scheduling or participating in an IDC does not automatically extend any deadlines imposed by the Code of Civil Procedure for noticing and filing discovery motions. Ideally, the parties should participate in an IDC before a motion is filed because the IDC may avoid the necessity of a motion or reduce its scope. Because of that possibility, attorneys are encouraged to stipulate to extend the 45 (or 60) day deadline for filing a motion to compel further discovery responses in order to allow time to participate in an IDC.

If parties do not stipulate to extend the deadlines, the moving party may file the motion to avoid it being deemed untimely. However, the IDC must take place before the motion is heard so it is suggested that the moving party reserve a date for the motion hearing that is at least 60 days after the date when the IDC reservation is made. Motions to Compel Further Discovery Responses are heard at 10:00 a.m. If the IDC is not productive, the moving party may advance the hearing on a Motion to Compel Further Discovery Responses on any available hearing date that complies with the notice requirements of the Code of Civil Procedure.

14. Parties must reserve IDC dates in the PI Courts using CRS, which is available online at www.lacourt.org (link on homepage). Parties must meet and confer regarding the available dates in CRS prior to accessing the system. After reserving the IDC date, the reservation requestor must file and serve an Informal Discovery Conference Form for Personal Injury Courts (form LACIV 239) at least 15 court days prior to the conference and attach the CRS reservation receipt as the last page. The opposing party may file and serve a responsive IDC form, briefly setting forth that party's response, at least ten court days prior to the IDC.

15. Time permitting, the PI Hub judges may be available to participate in IDCs to try to resolve other types of discovery disputes.

EX PARTE APPLICATIONS

16. Under the California Rules of Court, courts may only grant *ex parte* relief upon a showing, by admissible evidence, that the moving party will suffer "irreparable harm," "immediate danger," or where the moving party identifies "a statutory basis for granting relief ex parte" (C.R.C. Rule 3.1202(c)). The PI Courts have no capacity to hear multiple *ex parte* applications or to shorten time to add hearings to their fully booked motion calendars. The PI Courts do not regard the Court's unavailability for timely motion hearings as an "immediate danger" or threat of "irreparable harm" justifying *ex parte* relief. Instead of seeking *ex parte* relief, the moving party should reserve the earliest available motion hearing date (even if it is after the scheduled trial date) and file a motion to continue trial. Parties should also check CRS from time to time because earlier hearing dates may become available as cases settle or hearings are taken off calendar.

REQUEST FOR TRANSFER TO INDEPENDENT CALENDAR DEPARTMENT

17. Parties seeking to transfer a case from a PI Court to an Independent Calendar ("IC") Court shall file and serve the Court's "Motion/Opposition/Stipulation to Transfer Complicated Personal Injury Case to Independent Calendar Court" (form LACIV 238, available on the Court's website under the PI Courts link). The PI Courts will transfer a matter to an IC Court if the case is not a "Personal Injury" case as defined in this Order, or if it is "complicated." In determining

whether a personal injury case is "complicated" the PI Courts will consider, among other things, the number of pretrial hearings or the complexity of issues presented.

18. Parties opposing a motion to transfer have five court days to file an Opposition (using the same LACIV 238 Motion to Transfer form).

19. The PI Courts will not conduct a hearing on any Motion to Transfer to IC Court. Although the parties may stipulate to transfer a case to an Independent Calendar Department, the PI Courts will make an independent determination whether to transfer the case or not.

FINAL STATUS CONFERENCE

20. Parties shall comply with the requirements of the PI Courts' operative Standing Order Re Final Status Conference, which shall be served with the summons and complaint.

JURY FEES

21. Parties must pay jury fees no later than 365 calendar days after the filing of the initial complaint (C. C. P. § 631, subd. (c)(2)).

JURY TRIALS

22. The PI Courts do not conduct jury trials. On the trial date, a PI Court will contact the Master Calendar Court, Department One, in the Stanley Mosk Courthouse. Department One will assign cases for trial to dedicated Civil Trial Courtrooms and designated Criminal Courtrooms.

SANCTIONS

23. The Court has discretion to impose sanctions for any violation of this general order (C.C.P. §§ 128.7, 187 and Gov. Code, § 68608, subd. (b)).

Dated: Feb. 24, 2020

SAMANTHA P. JESSNER
Supervising Judge of Civil Courts

FILED
Superior Court of California
County of Los Angeles

OCT 08 2021

Sherri R. Carter, Executive Officer/Clerk
By _______ Deputy
Lorena Albino

2021-SJ-018-00

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

In re Personal Injury Cases Assigned to the Personal Injury Courts at the Spring Street Courthouse	SECOND AMENDED SUPPLEMENTAL STANDING ORDER RE COVID PROTECTIVE MEASURES RELATED TO FINAL STATUS CONFERENCES IN PERSONAL INJURY CASES AT THE SPRING STREET COURTHOUSE

In an effort to reduce the number of in-person appearances in the Personal Injury ("PI") courtrooms located in the Spring Street courthouse and to prevent the transmission of the COVID-19 virus, the court hereby issues this supplemental order to the Third Amended Standing Order re: Final Status Conference Personal Injury Courts dated February 24, 2020 ("Operative PI FSC Order").

1. **ELECTRONIC TRIAL BINDERS**

As set forth in the Operative PI FSC Order, parties/counsel must file and serve Trial Readiness Documents at least five calendar days prior to the FSC. Instead of providing the court that will be conducting the FSC with the trial binders as described in the Operative PI FSC Order and appearing in person, parties/counsel are ordered to provide the trial binders in electronic form. This will allow parties and attorneys to appear remotely for the final status conference and provide the court with the opportunity to review the trial binders to determine whether the parties/counsel are ready for trial. Hard copies of the binders prepared in accordance with the Operative PI FSC Order will continue to be required for the trial courtroom.

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2. REQUIREMENTS OF ELECTRONIC TRIAL BINDERS

At least two court days before the FSC, parties/counsel must submit via email a joint electronic trial binder to the courtroom conducting the FSC as follows:

a. The parties/counsel must submit in one PDF the joint statement of the case, joint witness list, joint list of jury instructions, full-text joint and contested jury instructions, joint and/or contested verdict form(s), joint exhibit list, and joint deposition designation chart as listed in paragraph 4 of the Operative PI FSC Order.

b. The trial briefs and motions in limine, oppositions, and replies, if any, must be submitted in a separate PDF.

c. The PDFs must be text searchable.

d. The PDFs must be bookmarked which is essentially an electronic tab so that the FSC judge can easily find and navigate among the trial documents. (See https://helpx.adobe.com/acrobat/using/page-thumbnails-bookmarks-pdfs.html and/or https://support.microsoft.com/en-us/office/ for bookmarking instructions).

e. The PDFs must be emailed to the applicable email address listed below:

Department 27 at sscdept27FSC@LACourt.org

Department 28 at sscdept28FSC@LACourt.org

Department 29 at sscdept29FSC@LACourt.org

Department 30 at sscdept30FSC@LACourt.org

Department 31 at sscdept31FSC@LACourt.org

Department 32 at sscdept32FSC@LACourt.org

f. The subject line in the email must include identifying case information as follows:

[Insert Case Number] Trial Readiness Binder, FSC, [Insert MM/DD/YEAR of Hearing Date] (e.g. 19STCV00001 Trial Readiness Binder, FSC 01/11/2021).

g. Each email should have two PDFs attached – one containing the Trial Readiness documents and the other containing the trial briefs and motions in limine, if applicable.

h. The parties need not submit the evidentiary exhibit binders at the FSC. However, the parties shall prepare the exhibit binders as required in paragraph 5 of the Operative PI FSC Order and be prepared to represent to the court that they have been properly prepared. Hard copies of the exhibit binders will be required for trial.

3. **FAILURE TO COMPLY WITH FSC OBLIGATIONS**

The court has discretion to require any party/counsel who fails or refuses to comply with this Supplemental Standing Order to show cause why the Court should not impose monetary, evidentiary and/or issue sanctions (including the entry of a default or the striking of an answer). In addition, failure to timely and fully comply with this order may result in the case not being assigned a trial courtroom by Dept. 1.

Dated: 10/8/2021

David J. Cowan
Supervising Judge, Civil
Los Angeles Superior Court

2020-SJ-004-00

FILED
Superior Court of California
County of Los Angeles

FEB 24 2020

Sherri R. Carter, Executive Officer/Clerk
By [signature] Deputy
Lorena Albino

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

IN RE PERSONAL INJURY CASES ASSIGNED TO THE PERSONAL INJURY COURTS AT THE SPRING STREET COURTHOUSE	THIRD AMENDED STANDING ORDER RE: FINAL STATUS CONFERENCE, PERSONAL INJURY ("PI") COURTS (Effective January 13, 2020)

The dates for Trial and the Final Status Conference ("FSC") having been set in this matter, the **COURT HEREBY AMENDS AND SUPERSEDES ITS August 9, 2019 STANDING ORDER RE: FINAL STATUS CONFERENCE, PERSONAL INJURY ("PI") COURTS AND, GENERALLY ORDERS AS FOLLOWS IN THIS AND ALL OTHER GENERAL JURISDICTION PERSONAL INJURY ACTIONS:**

1. PURPOSE OF THE FSC

The purpose of the FSC is to verify that the parties/counsel are completely ready to proceed with trial continuously and efficiently, from day to day, until verdict. The PI Courts will verify at the FSC that all parties/counsel have (1) prepared the Exhibit binders and Trial Document binders and (2) met and conferred in an effort to stipulate to ultimate facts, legal issues, motions in limine, and the authentication and admissibility of exhibits.

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2. TRIAL DOCUMENTS TO BE FILED

At least five calendar days prior to the Final Status Conference, the parties/counsel shall serve and file the following Trial Readiness Documents:

A. TRIAL BRIEFS (OPTIONAL)

Each party/counsel may, but is not required to, file a trial brief succinctly identifying:

(1) the claims and defenses subject to litigation;

(2) the major legal issues (with supporting points and authorities);

(3) the relief claimed and calculation of damages sought; and

(4) any other information that may assist the court at trial.

B. MOTIONS IN LIMINE

Before filing motions in limine, the parties/counsel shall comply with the statutory notice provisions of Code of Civil Procedure ("C.C.P.") Section 1005 and the requirements of Los Angeles County Court Rule ("Local Rule") 3.57(a). The caption of each motion in limine shall concisely identify the evidence that the moving party seeks to preclude. Parties filing more than one motion in limine shall number them consecutively. Parties filing opposition and reply papers shall identify the corresponding motion number in the caption of their papers.

C. JOINT STATEMENT TO BE READ TO THE JURY

For jury trials, the parties/counsel shall work together to prepare and file a joint written statement of the case for the court to read to the jury (Local Rule 3.25(g)(4)).

D. JOINT WITNESS LIST

The parties/counsel shall work together to prepare and file a joint list of all witnesses that each party intends to call, excluding impeachment and rebuttal witnesses (Local Rule 3.25(g)(5)). The joint witness list shall identify each witness by name, specify which witnesses are experts, estimate the length of the direct, cross examination and re-direct examination (if any) of each, and include a total of the number of hours for all witness testimony. The parties/counsel shall identify all potential witness scheduling issues and special requirements. Any party/counsel who seeks to elicit testimony from a witness not identified on the witness list must first make a showing of good cause to the trial court.

E. LIST OF PROPOSED JURY INSTRUCTIONS (JOINT AND CONTESTED)

The parties/counsel shall jointly prepare and file a list of proposed jury instructions, organized in numerical order, specifying the instructions upon which all sides agree and the contested instructions, if any. The List of Proposed Jury Instructions must include a space by each instruction for the judge to indicate whether the instruction was given.

F. JURY INSTRUCTIONS (JOINT AND CONTESTED)

The parties/counsel shall prepare a complete set of full-text proposed jury instructions, editing all proposed California Civil Jury Instructions and insert party name(s) and eliminate blanks, brackets, and irrelevant material. The parties/counsel shall prepare special instructions in a format ready for submission to the jury with the instruction number, title, and text only (i.e., there should be no boxes or other indication on the printed instruction itself as to the requesting party).

G. JOINT VERDICT FORM(S)

The parties/counsel shall prepare and jointly file a proposed general verdict form or special verdict form (with interrogatories) acceptable to all sides (Local Rule 3.25(g)(8)). If the parties/counsel cannot agree on a joint verdict form, each party must separately file a proposed verdict form.

H. JOINT EXHIBIT LIST

The parties/counsel shall prepare and file a joint exhibit list organized with columns identifying each exhibit and specifying each party's evidentiary objections, if any, to admission of each exhibit. The parties/counsel shall meet and confer in an effort to resolve objections to the admissibility of each exhibit.

I. PAGE AND LINE DESIGNATION FOR DEPOSITION AND FORMER TESTIMONY

If the parties/counsel intend to use deposition testimony or former trial testimony in lieu of any witness's live testimony, the parties/counsel shall meet and confer and jointly prepare and file a chart with columns for each of the following: 1) the page and line designations of the deposition or former testimony requested for use, 2) objections, 3) counter-designations, 4) any responses thereto, and 5) the Court's ruling.

3. EVIDENTIARY EXHIBITS

The parties/counsel shall jointly prepare (and be ready to temporarily lodge for inspection at the FSC) three sets of tabbed, internally paginated by document, and properly-marked exhibits, organized numerically in three-ring binders (a set for the Court, the Judicial Assistant and the witnesses). The parties/counsel shall mark all non-documentary exhibits and insert a simple written description of the exhibit behind the corresponding numerical tab in the exhibit binder. If the parties have a joint signed exhibit list and electronic copies of their respective exhibits, then the parties/counsel will not be required to produce exhibit binders at the FSC. However, the exhibit binders will be required by the assigned trial judge when the trial commences. In the absence of either a joint signed exhibit list or electronic copies, exhibit binders will be required to be produced by all parties/counsel at the FSC.

4. TRIAL BINDERS REQUIRED IN THE PI COURTS

The parties/counsel shall jointly prepare (and be ready to temporarily lodge and include the following for inspection at the FSC) the Trial Documents consisting of conformed copies (if available), tabbed and organized into three-ring binders with a table of contents that includes the following:

Tab A: Trial Briefs (Optional)

Tab B: Motions in Limine

Tab C: Joint Statement to Be Read to the Jury

Tab D: Joint Witness List

Tab E: Joint List of Jury Instructions (identifying the agreed upon and contested instructions)

Tab F: Joint and Contested Jury Instructions

Tab G: Joint and/or Contested Verdict Form(s)

Tab H: Joint Exhibit List

Tab I: Joint Chart of Page and Line Designation(s) for Deposition and Former Testimony

Tab J: Copies of the Current Operative Pleadings (including the operative complaint, answer, cross-complaint, if any, and answer to any cross-complaint).

The parties/counsel shall organize motions in limine (tabbed in numerical order) behind Tab B with the opposition papers and reply papers for each motion placed directly behind the moving papers. The parties shall organize proposed jury instructions behind Tab F, with the agreed upon instructions first in order followed by the contested instructions (including special instructions) submitted by each side.

5. FAILURE TO COMPLY WITH FSC OBLIGATIONS

The court has discretion to require any party/counsel who fails or refuses to comply with this Amended Standing Order to Show Cause why the Court should not impose monetary, evidentiary and/or issue sanctions (including the entry of a default or the striking of an answer).

Dated: Feb. 24, 2020

SAMANTHA P. JESSNER
Supervising Judge of Civil Courts

2021-SJ-008-00

FILED
Superior Court of California
County of Los Angeles

JUN 23 2021

Sherri R. Carter, Executive Officer/Clerk
By [signature] Deputy
Louis Albino

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

IN RE PERSONAL INJURY CASES ASSIGNED TO PERSONAL INJURY COURTROOMS AT THE SPRING STREET COURTHOUSE	SIXTH AMENDED STANDING ORDER RE: MANDATORY SETTLEMENT CONFERENCE (Effective June 21, 2021)

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:

Pursuant to California Code of Civil Procedure, the California Rules of Court and the Los Angeles Court Rules, the Los Angeles Superior Court (Court) HEREBY AMENDS AND SUPERSEDES THE FEBRUARY 24, 2020 FIFTH AMENDED STANDING ORDER, AND THE COURT HEREBY ISSUES THE FOLLOWING SIXTH AMENDED STANDING ORDER:

The Court orders the parties to participate in a virtual Mandatory Settlement Conference (MSC) supervised by a judge and staffed by volunteer attorneys who have significant experience in handling these types of cases and are members of the American Board of Trial Advocates, the Association of Southern California Defense Counsel, the Consumer Attorneys Association of Los Angeles, and or the Beverly Hills Bar Association, and have continuing professional interest as officers of the court in its successful operation.

1. Plaintiff's counsel shall within two (2) court days of the Court's Order of an MSC access the ResolveLawLA website at www.resolvelawla.com to create an account and register the case for MSC. Plaintiff's counsel must coordinate with defense counsel and select a mutually agreed upon date and time for the MSC prior to the trial date. Plaintiff's counsel shall also provide the name, email address, and phone number for defense counsel when registering the case for an MSC.

2. A mandatory settlement conference statement shall be lodged by each party with the ResolveLawLA website and served on all parties not less than five (5) court days before the scheduled MSC. The settlement conference statement shall be limited to five (5) pages on the MSC Brief and ten (10) pages for exhibits. ResolveLawLA MSCs are available at 9 a.m. and 1:30 p.m. Monday through Friday, excluding court holidays, and are conducted via Zoom.
3. Pursuant to California Rules of Court, Rule 3.1380(b) and Los Angeles Superior Court Rule 3.25(d), trial counsel, the parties and persons with full authority to settle the case (including insurance company representatives) must attend virtually via the website unless a judge has excused the virtual appearance for good cause. Once defense counsel is notified that the matter has been scheduled for a remote MSC, defense counsel shall create their own login to the resolvelawla.com system, and shall list all parties, party representatives and insurance adjusters' names, phone numbers, and emails where indicated. In the event the MSC needs to be canceled, it must be canceled through the ResolveLawLA system.
4. If the case settles prior to the scheduled MSC, Plaintiff's counsel shall forthwith notify the courtroom to which the case is assigned of such settlement. The parties should also document their settlement agreement in a writing signed by all parties. Upon receiving notification, the ResolveLawLA system will send notifications via text and/or email and will include a Zoom link for counsel, the parties, and insurance representatives to join the remote MSC.
5. The Court has the discretion to require any party and/or counsel who fails or refuses to comply with this order, to show cause why the Court should not impose monetary sanctions.

IT IS SO ORDERED.

Dated: 6/23/21

[signature]

Judge David J. Cowan
Supervising Judge, Civil Division

VOLUNTARY EFFICIENT LITIGATION STIPULATIONS

Superior Court of California
County of Los Angeles

LACBA

Los Angeles County Bar Association Litigation Section

Los Angeles County Bar Association Labor and Employment Law Section

Consumer Attorneys Association of Los Angeles

Southern California Defense Counsel

Association of Business Trial Lawyers

California Employment Lawyers Association

The Early Organizational Meeting Stipulation, Discovery Resolution Stipulation, and Motions in Limine Stipulation are voluntary stipulations entered into by the parties. The parties may enter into one, two, or all three of the stipulations; however, they may not alter the stipulations as written, because the Court wants to ensure uniformity of application. These stipulations are meant to encourage cooperation between the parties and to assist in resolving issues in a manner that promotes economic case resolution and judicial efficiency.

The following organizations endorse the goal of promoting efficiency in litigation and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases.

◆Los Angeles County Bar Association Litigation Section◆

◆ Los Angeles County Bar Association Labor and Employment Law Section◆

◆Consumer Attorneys Association of Los Angeles◆

◆Southern California Defense Counsel◆

◆Association of Business Trial Lawyers◆

◆California Employment Lawyers Association◆

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
STIPULATION – EARLY ORGANIZATIONAL MEETING		CASE NUMBER:

This stipulation is intended to encourage cooperation among the parties at an early stage in the litigation and to assist the parties in efficient case resolution.

The parties agree that:

1. The parties commit to conduct an initial conference (in-person or via teleconference or via videoconference) within 15 days from the date this stipulation is signed, *to discuss and consider whether there can be agreement on the following*:

   a. Are motions to challenge the pleadings necessary? If the issue can be resolved by amendment as of right, or if the Court would allow leave to amend, could an amended complaint resolve most or all of the issues a demurrer might otherwise raise? If so, the parties agree to work through pleading issues so that a demurrer need only raise issues they cannot resolve. Is the issue that the defendant seeks to raise amenable to resolution on demurrer, or would some other type of motion be preferable? Could a voluntary targeted exchange of documents or information by any party cure an uncertainty in the pleadings?

   b. Initial mutual exchanges of documents at the "core" of the litigation. (For example, in an employment case, the employment records, personnel file and documents relating to the conduct in question could be considered "core." In a personal injury case, an incident or police report, medical records, and repair or maintenance records could be considered "core.");

   c. Exchange of names and contact information of witnesses;

   d. Any insurance agreement that may be available to satisfy part or all of a judgment, or to indemnify or reimburse for payments made to satisfy a judgment;

   e. Exchange of any other information that might be helpful to facilitate understanding, handling, or resolution of the case in a manner that preserves objections or privileges by agreement;

   f. Controlling issues of law that, if resolved early, will promote efficiency and economy in other phases of the case. Also, when and how such issues can be presented to the Court;

   g. Whether or when the case should be scheduled with a settlement officer, what discovery or court ruling on legal issues is reasonably required to make settlement discussions meaningful, and whether the parties wish to use a sitting judge or a private mediator or other options as

SHORT TITLE:	CASE NUMBER:

discussed in the "Alternative Dispute Resolution (ADR) Information Package" served with the complaint;

h. Computation of damages, including documents, not privileged or protected from disclosure, on which such computation is based;

i. Whether the case is suitable for the Expedited Jury Trial procedures (see information at ***www.lacourt.org*** under "*Civil*" and then under "*General Information*").

2. The time for a defending party to respond to a complaint or cross-complaint will be extended to ____________ (INSERT DATE) for the complaint, and ____________ (INSERT DATE) for the cross-complaint, which is comprised of the 30 days to respond under Government Code § 68616(b), and the 30 days permitted by Code of Civil Procedure section 1054(a), good cause having been found by the Civil Supervising Judge due to the case management benefits provided by this Stipulation. A copy of the General Order can be found at *www.lacourt.org* under "*Civil*", click on "*General Information*", then click on "*Voluntary Efficient Litigation Stipulations*".

3. The parties will prepare a joint report titled "Joint Status Report Pursuant to Initial Conference and Early Organizational Meeting Stipulation, and if desired, a proposed order summarizing results of their meet and confer and advising the Court of any way it may assist the parties' efficient conduct or resolution of the case. The parties shall attach the Joint Status Report to the Case Management Conference statement, and file the documents when the CMC statement is due.

4. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day

The following parties stipulate:

Date:

________________________ ➢ ________________________
(TYPE OR PRINT NAME) (ATTORNEY FOR PLAINTIFF)

Date:

________________________ ➢ ________________________
(TYPE OR PRINT NAME) (ATTORNEY FOR DEFENDANT)

Date:

________________________ ➢ ________________________
(TYPE OR PRINT NAME) (ATTORNEY FOR DEFENDANT)

Date:

________________________ ➢ ________________________
(TYPE OR PRINT NAME) (ATTORNEY FOR DEFENDANT)

Date:

________________________ ➢ ________________________
(TYPE OR PRINT NAME) (ATTORNEY FOR ____________)

Date:

________________________ ➢ ________________________
(TYPE OR PRINT NAME) (ATTORNEY FOR ____________)

Date:

________________________ ➢ ________________________
(TYPE OR PRINT NAME) (ATTORNEY FOR ____________)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
STIPULATION – DISCOVERY RESOLUTION		CASE NUMBER:

This stipulation is intended to provide a fast and informal resolution of discovery issues through limited paperwork and an informal conference with the Court to aid in the resolution of the issues.

The parties agree that:

1. Prior to the discovery cut-off in this action, no discovery motion shall be filed or heard unless the moving party first makes a written request for an Informal Discovery Conference pursuant to the terms of this stipulation.

2. At the Informal Discovery Conference the Court will consider the dispute presented by parties and determine whether it can be resolved informally. Nothing set forth herein will preclude a party from making a record at the conclusion of an Informal Discovery Conference, either orally or in writing.

3. Following a reasonable and good faith attempt at an informal resolution of each issue to be presented, a party may request an Informal Discovery Conference pursuant to the following procedures:

   a. The party requesting the Informal Discovery Conference will:

      i. File a Request for Informal Discovery Conference with the clerk's office on the approved form (copy attached) and deliver a courtesy, conformed copy to the assigned department;

      ii. Include a brief summary of the dispute and specify the relief requested; and

      iii. Serve the opposing party pursuant to any authorized or agreed method of service that ensures that the opposing party receives the Request for Informal Discovery Conference no later than the next court day following the filing.

   b. Any Answer to a Request for Informal Discovery Conference must:

      i. Also be filed on the approved form (copy attached);

      ii. Include a brief summary of why the requested relief should be denied;

SHORT TITLE:	CASE NUMBER:

iii. Be filed within two (2) court days of receipt of the Request; and

iv. Be served on the opposing party pursuant to any authorized or agreed upon method of service that ensures that the opposing party receives the Answer no later than the next court day following the filing.

c. No other pleadings, including but not limited to exhibits, declarations, or attachments, will be accepted.

d. If the Court has not granted or denied the Request for Informal Discovery Conference within ten (10) days following the filing of the Request, then it shall be deemed to have been denied. If the Court acts on the Request, the parties will be notified whether the Request for Informal Discovery Conference has been granted or denied and, if granted, the date and time of the Informal Discovery Conference, which must be within twenty (20) days of the filing of the Request for Informal Discovery Conference.

e. If the conference is not held within twenty (20) days of the filing of the Request for Informal Discovery Conference, unless extended by agreement of the parties and the Court, then the Request for the Informal Discovery Conference shall be deemed to have been denied at that time.

4. If (a) the Court has denied a conference or (b) one of the time deadlines above has expired without the Court having acted or (c) the Informal Discovery Conference is concluded without resolving the dispute, then a party may file a discovery motion to address unresolved issues.

5. The parties hereby further agree that the time for making a motion to compel or other discovery motion is tolled from the date of filing of the Request for Informal Discovery Conference until (a) the request is denied or deemed denied or (b) twenty (20) days after the filing of the Request for Informal Discovery Conference, whichever is earlier, unless extended by Order of the Court.

   It is the understanding and intent of the parties that this stipulation shall, for each discovery dispute to which it applies, constitute a writing memorializing a "specific later date to which the propounding [or demanding or requesting] party and the responding party have agreed in writing," within the meaning of Code Civil Procedure sections 2030.300(c), 2031.320(c), and 2033.290(c).

6. Nothing herein will preclude any party from applying *ex parte* for appropriate relief, including an order shortening time for a motion to be heard concerning discovery.

7. Any party may terminate this stipulation by giving twenty-one (21) days notice of intent to terminate the stipulation.

8. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day.

SHORT TITLE:	CASE NUMBER:

The following parties stipulate:

Date:

➢ ______________________ (TYPE OR PRINT NAME) ______________________ (ATTORNEY FOR PLAINTIFF)

Date:

➢ ______________________ (TYPE OR PRINT NAME) ______________________ (ATTORNEY FOR DEFENDANT)

Date:

➢ ______________________ (TYPE OR PRINT NAME) ______________________ (ATTORNEY FOR DEFENDANT)

Date:

➢ ______________________ (TYPE OR PRINT NAME) ______________________ (ATTORNEY FOR DEFENDANT)

Date:

➢ ______________________ (TYPE OR PRINT NAME) ______________________ (ATTORNEY FOR ______________________)

Date:

➢ ______________________ (TYPE OR PRINT NAME) ______________________ (ATTORNEY FOR ______________________)

Date:

➢ ______________________ (TYPE OR PRINT NAME) ______________________ (ATTORNEY FOR ______________________)

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NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
INFORMAL DISCOVERY CONFERENCE (pursuant to the Discovery Resolution Stipulation of the parties)		CASE NUMBER:

1. This document relates to:

   ☐ Request for Informal Discovery Conference
   ☐ Answer to Request for Informal Discovery Conference

2. Deadline for Court to decide on Request: _______________ (insert date 10 calendar days following filing of the Request).

3. Deadline for Court to hold Informal Discovery Conference: _______________ (insert date 20 calendar days following filing of the Request).

4. **For a Request for Informal Discovery Conference, briefly describe the nature of the discovery dispute, including the facts and legal arguments at issue. For an Answer to Request for Informal Discovery Conference, briefly describe why the Court should deny the requested discovery, including the facts and legal arguments at issue.**

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
STIPULATION AND ORDER – MOTIONS IN LIMINE		CASE NUMBER:

This stipulation is intended to provide fast and informal resolution of evidentiary issues through diligent efforts to define and discuss such issues and limit paperwork.

The parties agree that:

1. At least _____ days before the final status conference, each party will provide all other parties with a list containing a one paragraph explanation of each proposed motion in limine. Each one paragraph explanation must identify the substance of a single proposed motion in limine and the grounds for the proposed motion.

2. The parties thereafter will meet and confer, either in person or via teleconference or videoconference, concerning all proposed motions in limine. In that meet and confer, the parties will determine:

   a. Whether the parties can stipulate to any of the proposed motions. If the parties so stipulate, they may file a stipulation and proposed order with the Court.

   b. Whether any of the proposed motions can be briefed and submitted by means of a short joint statement of issues. For each motion which can be addressed by a short joint statement of issues, a short joint statement of issues must be filed with the Court 10 days prior to the final status conference. Each side's portion of the short joint statement of issues may not exceed three pages. The parties will meet and confer to agree on a date and manner for exchanging the parties' respective portions of the short joint statement of issues and the process for filing the short joint statement of issues.

3. All proposed motions in limine that are not either the subject of a stipulation or briefed via a short joint statement of issues will be briefed and filed in accordance with the California Rules of Court and the Los Angeles Superior Court Rules.

SHORT TITLE:	CASE NUMBER:

The following parties stipulate:

Date:

➢ _______________________ _______________________

(TYPE OR PRINT NAME) (ATTORNEY FOR PLAINTIFF)

Date:

➢ _______________________ _______________________

(TYPE OR PRINT NAME) (ATTORNEY FOR DEFENDANT)

Date:

➢ _______________________ _______________________

(TYPE OR PRINT NAME) (ATTORNEY FOR DEFENDANT)

Date:

➢ _______________________ _______________________

(TYPE OR PRINT NAME) (ATTORNEY FOR DEFENDANT)

Date:

➢ _______________________ _______________________

(TYPE OR PRINT NAME) (ATTORNEY FOR _______________)

Date:

➢ _______________________ _______________________

(TYPE OR PRINT NAME) (ATTORNEY FOR _______________)

Date:

➢ _______________________ _______________________

(TYPE OR PRINT NAME) (ATTORNEY FOR _______________)

THE COURT SO ORDERS.

Date: _______________________ _______________________

JUDICIAL OFFICER

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FILED
LOS ANGELES SUPERIOR COURT

MAY 11 2011

JOHN A. CLARKE, CLERK
BY NANCY NAVARRO, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

General Order Re Use of Voluntary Efficient Litigation Stipulations	ORDER PURSUANT TO CCP 1054(a), EXTENDING TIME TO RESPOND BY 30 DAYS WHEN PARTIES AGREE TO EARLY ORGANIZATIONAL MEETING STIPULATION

Whereas the Los Angeles Superior Court and the Executive Committee of the Litigation Section of the Los Angeles County Bar Association have cooperated in drafting "Voluntary Efficient Litigation Stipulations" and in proposing the stipulations for use in general jurisdiction civil litigation in Los Angeles County;

Whereas the Los Angeles County Bar Association Litigation Section; the Los Angeles County Bar Association Labor and Employment Law Section; the Consumer Attorneys Association of Los Angeles; the Association of Southern California Defense Counsel; the Association of Business Trial Lawyers of Los Angeles; and the California Employment Lawyers Association all "endorse the goal of promoting efficiency in litigation, and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases;"

Whereas the Early Organizational Meeting Stipulation is intended to encourage cooperation among the parties at an early stage in litigation in order to achieve litigation efficiencies;

Whereas it is intended that use of the Early Organizational Meeting Stipulation will promote economic case resolution and judicial efficiency;

Whereas, in order to promote a meaningful discussion of pleading issues at the Early Organizational Meeting and potentially to reduce the need for motions to challenge the pleadings, it is necessary to allow additional time to conduct the Early Organizational Meeting before the time to respond to a complaint or cross complaint has expired;

Whereas Code of Civil Procedure section 1054(a) allows a judge of the court in which an action is pending to extend for not more than 30 days the time to respond to a pleading "upon good cause shown";

Now, therefore, this Court hereby finds that there is good cause to extend for 30 days the time to respond to a complaint or to a cross complaint in any action in which the parties have entered into the Early Organizational Meeting Stipulation. This finding of good cause is based on the anticipated judicial efficiency and benefits of economic case resolution that the Early Organizational Meeting Stipulation is intended to promote.

IT IS HEREBY ORDERED that, in any case in which the parties have entered into an Early Organizational Meeting Stipulation, the time for a defending party to respond to a complaint or cross complaint shall be extended by the 30 days permitted by Code of Civil Procedure section 1054(a) without further need of a specific court order.

DATED: May 11, 2011

Carolyn B. Kuhl, Supervising Judge of the
Civil Departments, Los Angeles Superior Court

Superior Court of California, County of Los Angeles

ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE

THE PLAINTIFF MUST SERVE THIS ADR INFORMATION PACKAGE ON EACH PARTY WITH THE COMPLAINT.

CROSS-COMPLAINANTS must serve this ADR Information Package on any new parties named to the action with the cross-complaint.

What is ADR?

ADR helps people find solutions to their legal disputes without going to trial. The main types of ADR are negotiation, mediation, arbitration, and settlement conferences. When ADR is done by phone, videoconference or computer, it may be called Online Dispute Resolution (ODR). These alternatives to litigation and trial are described below.

Advantages of ADR

- **Saves Time:** ADR is faster than going to trial.
- **Saves Money:** Parties can save on court costs, attorney's fees, and witness fees.
- **Keeps Control** (with the parties): Parties choose their ADR process and provider for voluntary ADR.
- **Reduces Stress/Protects Privacy:** ADR is done outside the courtroom, in private offices, by phone or online.

Disadvantages of ADR

- **Costs:** If the parties do not resolve their dispute, they may have to pay for ADR, litigation, and trial.
- **No Public Trial:** ADR does not provide a public trial or a decision by a judge or jury.

Main Types of ADR

1. **Negotiation**: Parties often talk with each other in person, or by phone or online about resolving their case with a settlement agreement instead of a trial. If the parties have lawyers, they will negotiate for their clients.

2. **Mediation**: In mediation, a neutral mediator listens to each person's concerns, helps them evaluate the strengths and weaknesses of their case, and works with them to try to create a settlement agreement that is acceptable to all. Mediators do not decide the outcome. Parties may go to trial if they decide not to settle.

   Mediation may be appropriate when the parties
   - want to work out a solution but need help from a neutral person.
   - have communication problems or strong emotions that interfere with resolution.

   Mediation may not be appropriate when the parties
   - want a public trial and want a judge or jury to decide the outcome.
   - lack equal bargaining power or have a history of physical/emotional abuse.

How to Arrange Mediation in Los Angeles County

Mediation for **civil cases** is voluntary and parties may select any mediator they wish. Options include:

a. **The Civil Mediation Vendor Resource List**
If all parties in an active civil case agree to mediation, they may contact these organizations to request a "Resource List Mediation" for mediation at reduced cost or no cost (for selected cases).

- **ADR Services, Inc.** Case Manager Elizabeth Sanchez, elizabeth@adrservices.com (949) 863-9800
- **JAMS, Inc.** Assistant Manager Reggie Joseph, RJoseph@jamsadr.com (310) 309-6209
- **Mediation Center of Los Angeles** Program Manager info@mediationLA.org (833) 476-9145

These organizations cannot accept every case and they may decline cases at their discretion. They may offer online mediation by video conference for cases they accept. Before contacting these organizations, review important information and FAQs at www.lacourt.org/ADR.Res.List

NOTE: The Civil Mediation Vendor Resource List program does not accept family law, probate or small claims cases.

b. **Los Angeles County Dispute Resolution Programs**
https://hrc.lacounty.gov/wp-content/uploads/2020/05/DRP-Fact-Sheet-23October19-Current-as-of-October-2019-1.pdf

Day of trial mediation programs have been paused until further notice.

Online Dispute Resolution (ODR). Parties in small claims and unlawful detainer (eviction) cases should carefully review the Notice and other information they may receive about (ODR) requirements for their case.

c. Mediators and ADR and Bar organizations that provide mediation may be found on the internet.

3. **Arbitration**: Arbitration is less formal than trial, but like trial, the parties present evidence and arguments to the person who decides the outcome. In "binding" arbitration, the arbitrator's decision is final; there is no right to trial. In "nonbinding" arbitration, any party can request a trial after the arbitrator's decision. For more information about arbitration, visit http://www.courts.ca.gov/programs-adr.htm

4. **Mandatory Settlement Conferences (MSC)**: MSCs are ordered by the Court and are often held close to the trial date or on the day of trial. The parties and their attorneys meet with a judge or settlement officer who does not make a decision but who instead assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. For information about the Court's MSC programs for civil cases, visit http://www.lacourt.org/division/civil/C10047.aspx

Los Angeles Superior Court ADR website: http://www.lacourt.org/division/civil/C10109.aspx
For general information and videos about ADR, visit http://www.courts.ca.gov/programs-adr.htm